GOVERNMENT DOCUMENTS DEPT
DEC 29 2015
SAN FRANCISCO PUBLIC LIBRARY

SAN FRANCISCO
PLANNING DEPARTMENT

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Mitigated Negative Declaration

PMND Date:	November 4, 2015; amended on December 1, 2015 (amendments to the Initial Study/Preliminary Mitigated Negative Declaration are shown as deletions in ~~strikethrough~~ and additions in double underline)
Case No.:	**2015-011574ENV**
Project Title:	**838 Pacific Avenue**
BPA Nos.:	201510190132
Zoning:	RM-4 (Residential, Mixed, High Density) Use District 65-N Height and Bulk District
Block/Lot:	0160/030
Lot Size:	49,975 square feet
Project Sponsor:	Kim Piechota – Chinatown Community Development Center c/o Jim Fagler – Gelfand Partners Architects (415) 346-4040, jim@gelfand-partners.com
Lead Agency:	San Francisco Planning Department
Staff Contact:	Michael Li (415) 575-9107, michael.j.li@sfgov.org

PROJECT DESCRIPTION:

The project site, which is in San Francisco's Chinatown neighborhood, is an L-shaped lot that fronts on three streets: Broadway on the north, Pacific Avenue on the south, and Cordelia Street on the east. The northern, eastern, and southern portions of the project site are occupied by a 12-story building containing 200 dwelling units and supporting accessory uses (offices, laundry room, community room, computer room, and youth center). Most of the western portion of the project site consists of paved open space that includes benches, landscaping, a basketball court, and a children's play structure. There is a small surface parking area with three parking spaces near the southeast corner of the project site. The parking spaces are accessed from Cordelia Street. There is an existing cogeneration plant on the ground level near the center of the property (adjacent to the west wall of the existing building).

The proposed project consists of tenant improvements to the existing dwelling units and supporting accessory uses, upgrades to building and life safety systems, and structural upgrades to the existing building. The structural upgrades include:

- the installation of new three-foot-deep footings to support new shear walls;
- the installation of about 156 new micropiles; and
- the installation of a small footing for a new enclosure around the existing cogeneration plant.

There would be no change in the height or massing of the existing building, the number of dwelling units, or the number of parking spaces.

FINDING:

This project could not have a significant effect on the environment. This finding is based upon the criteria of the Guidelines of the State Secretary for Resources, Sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance), and 15070 (Decision to prepare a Negative Declaration), and the following reasons as documented in the Initial Evaluation (Initial Study) for the project, which is attached. Mitigation measures are included in this project to avoid potentially significant effects. See pages 68-73.

In the independent judgment of the Planning Department, there is no substantial evidence that the project could have a significant effect on the environment.

SARAH B. JONES
Environmental Review Officer

December 1, 2015
Date of Issuance of Final Mitigated Negative Declaration

cc: Kim Piechota – Chinatown Community Development Center
Jim Fagler – Gelfand Partners Architects
Kate Conner, Current Planning Division
Shelley Caltagirone, Historic Preservation Planner
Randall Dean, Archeologist
Supervisor Julie Christensen, District 3
Master Decision File
Northeast Quadrant Bulletin Board
Historic Preservation Distribution List
Distribution List

3 1223 11171 5091

INITIAL STUDY TABLE OF CONTENTS

838 Pacific Avenue

Section		Page
A.	PROJECT DESCRIPTION	1
B.	PROJECT SETTING	3
C.	COMPATIBILITY WITH EXISTING ZONING AND PLANS	4
D.	SUMMARY OF ENVIRONMENTAL EFFECTS	6
E.	EVALUATION OF ENVIRONMENTAL EFFECTS	8
	E.1. Land Use and Land Use Planning	8
	E.2. Population and Housing	10
	E.3. Cultural Resources	11
	E.4. Transportation and Circulation	18
	E.5. Noise	22
	E.6. Air Quality	27
	E.7. Greenhouse Gas Emissions	42
	E.8. Wind and Shadow	44
	E.9. Recreation	45
	E.10. Utilities and Service Systems	47
	E.11. Public Services	49
	E.12. Biological Resources	50
	E.13. Geology and Soils	52
	E.14. Hydrology and Water Quality	57
	E.15. Hazards and Hazardous Materials	60
	E.16. Mineral and Energy Resources	64
	E.17. Agriculture and Forest Resources	66
	E.18. Mandatory Findings of Significance	67
F.	MITIGATION MEASURES AND IMPROVEMENT MEASURES	68
G.	PUBLIC NOTICE AND COMMENT	73
H.	DETERMINATION	74
I.	INITIAL STUDY PREPARERS	74

List of Figures **Page**

Figure 1: Project Location 2

List of Tables **Page**

Table 1: Criteria Air Pollutant Significance Thresholds 29

Initial Study
838 Pacific Avenue
Planning Department Case No. 2015-011574ENV

A. PROJECT DESCRIPTION

Project Location

The project site, which is in San Francisco's Chinatown neighborhood, is an L-shaped lot that fronts three streets: Broadway on the north, Pacific Avenue on the south, and Cordelia Street on the east (see Figure 1). The northern, eastern, and southern portions of the project site are occupied by Ping Yuen Apartments North, a 12-story building containing 200 dwelling units and supporting accessory uses (offices, laundry room, community room, computer room, and youth center). Most of the western portion of the project site consists of paved open space that includes benches, landscaping, a basketball court, and a children's play structure. There is a small surface parking area with three parking spaces near the southeast corner of the project site. The parking spaces are accessed from Cordelia Street. There is an existing cogeneration plant[1] on the ground level near the center of the property (adjacent to the west wall of the existing building).

The project site is in an RM-4 (Residential, Mixed, High Density) District, and a 65-N Height and Bulk District.

Project Characteristics

The proposed project consists of tenant improvements to the existing dwelling units and supporting accessory uses, upgrades to building and life safety systems, and structural upgrades to the existing building. The structural upgrades include:

- the installation of new three-foot-deep footings to support new shear walls;
- the installation of about 156 new micropiles; and
- the installation of a small footing for a new enclosure around the existing cogeneration plant.

There would be no change in the height or massing of the existing building, the number of dwelling units, or the number of parking spaces.

Project Construction

Construction of the proposed project is anticipated to begin in the fall of 2016 and is expected to last 24 months. Construction of the proposed project would require excavation to a depth of three feet below ground surface and the removal of about 522 cubic yards of soil.

[1] A cogeneration plant is a facility that uses a fuel source to simultaneously generate electricity and useful heat. The generation of electricity results in some energy being discarded as waste heat. In cogeneration, this waste heat is captured and used for water or space heating or to power other equipment.

SOURCE: San Francisco Planning Department

Figure 1: Project Location

Project Approvals

The proposed project would require the following approvals:

- **Rear Yard Variance** *(Zoning Administrator)*
- **Site/Building Permit** *(Planning Department and Department of Building Inspection)*

The granting of the variance by the Zoning Administrator constitutes the Approval Action for the proposed project pursuant to Section 31.04(h)(3) of the San Francisco Administrative Code. The Approval Action date establishes the start of the 30-day appeal period for this California Environmental Quality Act (CEQA) determination pursuant to Section 31.16(d) of the San Francisco Administrative Code.

B. PROJECT SETTING

The project site is on an improved block bounded by Broadway on the north, Powell Street on the west, Pacific Avenue on the south, and Stockton Street on the east. Approximately 80 feet west of Stockton Street, there is a 17.5-foot-wide mid-block alley (Cordelia Street) that runs north-south from Broadway to Pacific Avenue. The topography of the project site slopes down from west to east. Existing development on the project block consists of one- through four-story buildings, most of which are mixed-use buildings featuring upper-floor residential uses over ground-floor retail uses. There are two residential buildings on Powell Street that do not include ground-floor retail uses. One of the properties adjacent to and west of the project site is occupied by San Francisco Fire Station No. 2 (1340 Powell Street). The property adjacent to and east of the project site is occupied by a four-story building containing upper-floor residential uses above ground-floor parking.

The project vicinity is characterized by residential, retail, educational, medical, and parking uses. The scale of development in the project vicinity ranges in height from 15 to 110 feet. There is a surface parking lot and two- through five-story mixed-use buildings on the north side of Broadway across from the project site. The buildings on the south side of Pacific Avenue across from the project site include a two-story medical office building, a one-story community health resource center, and the six-story Ping Yuen Apartments West. Other land uses in the area include Jean Parker Elementary School (0.05 mile west of the project site), the Chinatown Public Health Center atop the Broadway Tunnel (0.1 mile west), the San Francisco Public Library's Chinatown Branch (0.1 mile southwest), and Chinese Hospital (0.1 mile south).

The project site is well served by public transit. Within one-quarter mile of the project site, the San Francisco Municipal Railway operates the 1 California, 8 Bayshore, 8AX Bayshore A Express, 8BX Bayshore B Express, 10 Townsend, 12 Folsom/Pacific, 30 Stockton, 30X Marina Express 39 Coit, 41 Union, and the 45 Union/Stockton bus lines as well as the Powell/Hyde and Powell/Mason cable car lines.

The project vicinity is a mix of different zoning districts: the North Beach NCD (Neighborhood Commercial District) and the CCB (Chinatown Community Business) District to the north; the CCB District and the CR-NC (Chinatown Residential Neighborhood Commercial) District to the

east; the CR-NC District, an RM-4 District, and several P (Public Use) Districts to the south; and the CCB District, the CR-NC District, a P District, and various residential districts to the west. The height and bulk districts in the project vicinity are similarly varied: 40-X and 65-N to the north; 50-N, 65-N, and 65-85-N to the east; 65-N, 65-85-N, and 110-G to the south; and 40-X, 65-A, and 65-N to the west.

C. COMPATIBILITY WITH EXISTING ZONING AND PLANS

	Applicable	*Not Applicable*
Discuss any variances, special authorizations, or changes proposed to the Planning Code or Zoning Map, if applicable.	☒	☐
Discuss any conflicts with any adopted plans and goals of the City or Region, if applicable.	☒	☐
Discuss any approvals and/or permits from City departments other than the Planning Department or the Department of Building Inspection, or from Regional, State, or Federal Agencies.	☒	☐

San Francisco Planning Code and Zoning Maps

The San Francisco Planning Code (Planning Code), which incorporates by reference the City's Zoning Maps, governs permitted uses, densities, and the configuration of buildings within San Francisco. Permits to construct new buildings (or to alter or demolish existing ones) may not be issued unless the proposed project complies with the Planning Code, an exception or variance is granted pursuant to the provisions of the Planning Code, or legislative amendments to the Planning Code are included and adopted as part of the proposed project.

Land Use

The project site is in an RM-4 District. Pursuant to Planning Code Section 209.2, RM-4 Districts are devoted almost exclusively to high-density apartment buildings, usually with smaller units, close to downtown. Buildings over 40 feet in height and supporting nonresidential uses are common. Pursuant to Planning Code Table 209.2, residential uses are principally permitted in RM-4 Districts.

Height and Bulk

The project site is in a 65-N Height and Bulk District, which permits a maximum building height of 65 feet. Bulk controls reduce the size of a building's floorplates as the building increases in height. Pursuant to Planning Code Section 270(a), the bulk controls in an "N" Bulk District become effective at a building height of 40 feet. Beginning at a building height of 40 feet, the maximum length of any wall shall not exceed 50 feet, and the maximum diagonal dimension shall not exceed 100 feet. The existing building exceeds the height and bulk limits. Since the existing building was constructed in 1961, before the adoption of the 65-N Height and Bulk District in the 1980s, the existing building is a legal noncomplying structure. The proposed project would not increase the height or bulk of the existing building.

Floor Area Ratio

Floor area ratio (FAR) is the ratio of gross floor area of all the buildings on a lot to the area of the lot. Pursuant to Planning Code Table 209.2, the FAR for nonresidential uses in RM-4 Districts is 4.8 to 1. Pursuant to Planning Code Section 124(b), FAR limits do not apply to residential uses in RM-4 Districts. The nonresidential uses on the project site do not exceed an FAR of 4.8 to 1, and the residential uses on the project site are exempt from the calculation of FAR. For these reasons, the proposed project complies with the FAR for the project site.

Plans and Policies

San Francisco General Plan

The *San Francisco General Plan (General Plan)* establishes objectives and policies to guide land use decisions related to the physical development of San Francisco. It is comprised of ten elements, each of which addresses a particular topic that applies citywide: Air Quality; Arts; Commerce and Industry; Community Facilities; Community Safety; Environmental Protection; Housing; Recreation and Open Space; Transportation; and Urban Design. Any conflict between the proposed project and polices that relate to physical environmental issues are discussed in Section E, Evaluation of Environmental Effects. The compatibility of the proposed project with *General Plan* policies that do not relate to physical environmental issues will be considered by decision-makers as part of their decision whether to approve or disapprove the proposed project.

Proposition M – The Accountable Planning Initiative

In November 1986, the voters of San Francisco approved Proposition M, the Accountable Planning Initiative, which added Section 101.1 to the Planning Code and established eight Priority Policies. These policies, and the topics in Section E, Evaluation of Environmental Effects, that address the environmental issues associated with these policies, are: (1) preservation and enhancement of neighborhood-serving retail uses; (2) protection of neighborhood character (Question 1c, Land Use and Land Use Planning); (3) preservation and enhancement of affordable housing (Question 3b, Population and Housing, regarding housing supply and displacement issues); (4) discouragement of commuter automobiles (Questions 4a, 4b, 4f, and 4g, Transportation and Circulation); (5) protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership (Question 1c, Land Use and Land Use Planning); (6) maximization of earthquake preparedness (Questions 13a through 13d, Geology and Soils); (7) landmark and historic building preservation (Question 3a, Cultural Resources); and (8) protection of open space (Questions 8a and 8b, Wind and Shadow, and Questions 9a and 9c, Recreation).

Prior to issuing a permit for any project that requires an Initial Study under the California Environmental Quality Act (CEQA), and prior to issuing a permit for any demolition, conversion, or change of use, and prior to taking any action that requires a finding of consistency with the *General Plan*, the City is required to find that the proposed project or legislation would be consistent with the Priority Policies.

As noted above, the compatibility of the proposed project with *General Plan* objectives and policies that do not relate to physical environmental issues will be considered by decision-makers as part of their decision whether to approve or disapprove the proposed project. Any potential conflicts identified as part of the process would not alter the physical environmental effects of the proposed project.

Regional Plans and Policies

The five principal regional planning agencies and their overarching policy-plans to guide planning in the nine-county bay area include the Association for Bay Area Governments' *Projections 2013,* the Bay Area Air Quality Management District's (BAAQMD's) *Bay Area 2010 Clean Air Plan (2010 Clean Air Plan),* the Metropolitan Transportation Commission's *Regional Transportation Plan – Transportation 2035,* the San Francisco Regional Water Quality Control Board's *San Francisco Basin Plan,* and the San Francisco Bay Conservation and Development Commission's *San Francisco Bay Plan.* Due to the size and nature of the proposed project, no anticipated conflicts with regional plans would occur.

Required Approvals by Other Agencies

See Section A, Project Description, p. 3, for a list of required project approvals.

D. SUMMARY OF ENVIRONMENTAL EFFECTS

The proposed project could potentially affect the environmental factor(s) checked below. The following pages present a more detailed checklist and discussion of each environmental factor.

☐ Land Use	☐ Air Quality	☐ Biological Resources
☐ Aesthetics	☐ Greenhouse Gas Emissions	☒ Geology and Soils
☐ Population and Housing	☐ Wind and Shadow	☐ Hydrology and Water Quality
☒ Cultural Resources	☐ Recreation	☐ Hazards/Hazardous Materials
☐ Transportation and Circulation	☐ Utilities and Service Systems	☐ Mineral/Energy Resources
☐ Noise	☐ Public Services	☐ Agricultural and Forest Resources
		☐ Mandatory Findings of Significance

This Initial Study examines the proposed project to identify potential effects on the environment. For each item on the Initial Study checklist, the evaluation has considered the impacts of the proposed project both individually and cumulatively. All items on the Initial Study Checklist that have been checked "Less than Significant Impact with Mitigation Incorporated," "Less than Significant Impact," "No Impact" or "Not Applicable" indicate that, upon evaluation, staff has determined that the proposed project could not have a significant adverse environmental effect

relating to that issue. A discussion is included for those issues checked "Less than Significant Impact with Mitigation Incorporated" and "Less than Significant Impact" and for most items checked with "No Impact" or "Not Applicable." For all of the items checked "No Impact" or "Not Applicable" without discussion, the conclusions regarding potential significant adverse environmental effects are based upon field observation, staff experience and expertise on similar projects, and/or standard reference material available within the Planning Department, such as the *Transportation Impact Analysis Guidelines for Environmental Review* or the California Natural Diversity Data Base and maps, published by the California Department of Fish and Wildlife. For each checklist item, the evaluation has considered the impacts of the proposed project both individually and cumulatively. The items checked above have been determined to be "Less than Significant with Mitigation Incorporated."

Senate Bill 743 and Public Resources Code Section 21099

On September 27, 2013, Governor Brown signed Senate Bill (SB) 743, which became effective on January 1, 2014.[2] Among other provisions, SB 743 amended CEQA by adding Public Resources Code Section 21099 regarding the analysis of aesthetics and parking impacts for certain urban infill projects in transit priority areas.[3]

Aesthetics and Parking Analysis

Public Resources Code Section 21099(d), effective January 1, 2014, provides that, "aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment." Accordingly, aesthetics and parking are no longer to be considered in determining if a project has the potential to result in significant environmental effects for projects that meet all of the following three criteria:

1) The project is in a transit priority area; and

2) The project is on an infill site; and

3) The project is residential, mixed-use residential, or an employment center.

The proposed project meets each of the above criteria; therefore this Initial Study does not consider aesthetics and the adequacy of parking in determining the significance of project impacts under CEQA.[4]

---

[2] SB 743 can be found online at http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB743.

[3] A "transit priority area" is defined in as an area within one-half mile of an existing or planned major transit stop. A "major transit stop" is defined in Section 21064.3 of the California Public Resources Code as a rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

[4] San Francisco Planning Department, *Transit-Oriented Infill Project Eligibility Checklist for 838 Pacific Avenue*, September 25, 2015.

Public Resources Code Section 21099(e) states that a Lead Agency maintains the authority to consider aesthetic impacts pursuant to local design review ordinances or other discretionary powers and that aesthetics impacts do not include impacts on historical or cultural resources. As such, there will be no change in the Planning Department's methodology related to design and historic review.

E. EVALUATION OF ENVIRONMENTAL EFFECTS

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
1. LAND USE AND LAND USE PLANNING— Would the project:					
a) Physically divide an established community?	☐	☐	☒	☐	☐
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐	☐
c) Have a substantial impact upon the existing character of the vicinity?	☐	☐	☐	☒	☐

Impact LU-1: The proposed project would not physically divide an established community. ***(Less than Significant)***

The division of an established community typically involves the construction of a physical barrier to neighborhood access, such as a new freeway, or the removal of a means of access, such as a bridge or a roadway. Implementation of the proposed project would not result in the construction of a physical barrier to neighborhood access or the removal of an existing means of access; it would result in tenant improvements to the existing dwelling units and supporting accessory uses, upgrades to building and life safety systems, and structural upgrades to the existing building. Implementation of the proposed project would not alter the established street grid or permanently close any streets or sidewalks. Although portions of the sidewalk adjacent to the project site could be closed for periods of time during project construction, these closures would be temporary in nature. For these reasons, the proposed project would not physically divide an established community. This impact would be less than significant, and no mitigation measures are necessary.

Impact LU-2: The proposed project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect. ***(Less than Significant)***

Plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect are those that directly address environmental issues and/or contain targets

or standards that must be met in order to maintain or improve characteristics of the City's physical environment. Examples of such plans, policies, or regulations include the Bay Area Air Quality Management District's *2010 Clean Air Plan* and the San Francisco Regional Water Quality Control Board's *San Francisco Basin Plan*. As discussed in Section C, Compatibility with Existing Zoning and Plans, the proposed project would not substantially conflict with any plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. This impact would be less than significant, and no mitigation measures are necessary.

Impact LU-3: The proposed project would not have a substantial impact upon the existing character of the vicinity. ***(No Impact)***

The proposed project would not change the existing mix of residential and supporting accessory uses, open space, and parking on the project site. The proposed project would not introduce any land uses, such as industrial uses, that would disrupt or be incompatible with the character of the vicinity. No impact would occur.

Impact C-LU-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative land use impact. ***(Less than Significant)***

Cumulative development in the project vicinity (within a quarter-mile radius of the project site) includes the following projects that are either under construction or for which the Planning Department has an Environmental Evaluation Application on file:

- 655 Pacific Avenue (renovation and rehabilitation of Ping Yuen Apartments East)
- 711-795 Pacific Avenue (renovation and rehabilitation of Ping Yuen Apartments Central)
- 895 Pacific Avenue (renovation and rehabilitation of Ping Yuen Apartments West)
- 835-845 Jackson Street (the Chinese Hospital Replacement Project)
- 908 Broadway (demolition of an existing three-story residential building and construction of a new four-story building containing six dwelling units and six parking spaces)

These nearby cumulative development projects would not physically divide an established community by constructing a physical barrier to neighborhood access or removing a means of access. None of the nearby cumulative development projects would obviously or substantially conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The nearby cumulative development projects would not introduce any new land uses that do not already exist in the project vicinity. The nearby cumulative development projects would not introduce any incompatible uses, such as industrial uses, that would disrupt or be incompatible with the existing character of the project vicinity. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects to create a significant cumulative land use impact.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
2. POPULATION AND HOUSING—Would the project:					
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒	☐
b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	☐	☐	☒	☐	☐
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐	☐

Impact PH-1: The proposed project would not directly or indirectly induce substantial population growth in an area. ***(No Impact)***

In general, a project would be considered growth inducing if its implementation were to result in a substantial population increase or new development that might not occur without the project. The proposed project consists of tenant improvements to the existing dwelling units and supporting accessory uses, upgrades to building and life safety systems, and structural upgrades to the existing building. There would be no increase in the number of dwelling units, the number of residents, or the number of on-site employees. The proposed project would not encourage future population growth by extending existing roads, utilities, or other infrastructure. For these reasons, implementation of the proposed project would not directly or indirectly induce population growth. No impact would occur.

Impact PH-2: The proposed project would not displace existing housing units or people and would not create demand for additional housing, necessitating the construction of replacement housing. ***(Less than Significant)***

The proposed project would not displace any existing housing units. During the renovation of each housing unit, the resident(s) of that particular unit would need to be temporarily relocated until the work has been completed. Some residents would be temporarily relocated to vacant units elsewhere in the existing building or to vacant units in the vicinity of the project site. There would be no need to construct replacement housing units. This impact would be less than significant, and no mitigation measures are necessary.

Impact C-PH-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative impact related to population and housing. ***(Less than Significant)***

Cumulative development in the project vicinity would result in an intensification of land uses and cumulative increases in the residential and employment populations at the neighborhood, citywide, and regional levels. This cumulative growth is consistent with projections presented in

Plan Bay Area and *Projections 2013*. The proposed project would not combine with past, present, and reasonably foreseeable future projects to create a significant cumulative impact related to population and housing.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
3. CULTURAL RESOURCES—Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco *Planning Code*?	☐	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐	☐
d) Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code §21074?	☐	☐	☒	☐	☐

Impact CR-1: The proposed project would not cause a substantial adverse change in the significance of a historical resource. ***(Less than Significant)***

Historical resources are those properties that meet the definitions in Section 21084.1 of the CEQA statute and Section 15064.5 of the CEQA Guidelines. Historical resources include properties listed in, or formally determined eligible for listing in, the California Register of Historical Resources (California Register) or in an adopted local historic register. Historical resources also include resources identified as significant in a historical resource survey meeting certain criteria. Additionally, properties that are not listed but are otherwise determined to be historically significant, based on substantial evidence, would also be considered historical resources. The significance of a historical resource is materially impaired when a project "demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance."

Implementation of the proposed project includes alterations to the façades of the existing building at 838 Pacific Avenue. In evaluating whether the proposed project would cause a substantial adverse change in the significance of a historical resource, the Planning Department must first determine whether the existing buildings on the project site are historical resources. A property may be considered a historical resource if it meets any of the California Register criteria related to (1) events, (2) persons, (3) architecture, or (4) information potential, that make it eligible for listing in the California Register, or if it is considered a contributor to an existing or potential historic district.

For the purpose of environmental review, the building is considered Category B: Property Requiring Further Consultation and Review (i.e., it is a potential historical resource). A Historic Resource Evaluation (HRE) was prepared to assist the Planning Department in determining whether the existing building is a historical resource.[5] The Planning Department reviewed the HRE, concurred with the findings, and issued a determination that the building is not a historical resource.[6]

The existing building at 838 Pacific Avenue was designed by John Bolles, and the landscape was designed by Douglas Bayliss. The building was constructed in 1961; it is not eligible for listing in a local, state, or national historical register, and it is not located within a local, state, or national historic district.

The building is not associated with a significant event, a specific event or pattern of events important to local or regional history, or the general cultural heritage of California. Therefore, the building is not eligible for listing in the California Register under Criterion 1: Events. The building is not associated with any well-known residents and, therefore, is not eligible for listing in the California Register under Criterion 2: Persons. The building is not representative of the best work of either John Bolles or Douglas Bayliss, is not a distinctive example of public housing projects from the 1960s, and does not exhibit exceptional design quality. Therefore, the building is not eligible for listing in the California Register under Criterion 3: Architecture. The building does not reflect a unique structural system or the rare use of raw materials and, therefore, is not eligible for listing in the California Register under Criterion 4: Information Potential.

In conclusion, the existing building at 838 Pacific Avenue is not eligible for listing on the California Register as an individual resource or as a contributor to a historic district and thus is not considered a historical resource under CEQA. For these reasons, the proposed project would not cause a substantial adverse change in the significance of a historical resource. No impact would occur.

Impact CR-2: The proposed project would not cause a substantial adverse change in the significance of an archeological resource. ***(Less than Significant with Mitigation)***

Determining the potential for encountering archeological resources includes relevant factors such as the location, depth, and amount of excavation proposed as well as any recorded information on known resources in the area. Construction of the proposed project would require excavation to a depth of three feet below ground surface and the removal of about 522 cubic yards of soil. Due to the depth of the proposed excavation, the Planning Department conducted a Preliminary Archeological Review (PAR) and determined that the proposed project has the potential to affect archeological resources.[7] This would be a significant impact, but with implementation of

[5] Environmental Science Associates, *Historic Resources Evaluation Report, Ping Yuen Apartments (655 Pacific Avenue, 711 Pacific Avenue, and 895 Pacific Avenue), and Ping Yuen North (838 Pacific Avenue), San Francisco, California*, June 2015.

[6] San Francisco Planning Department, *Preservation Team Review Form, 838 Pacific Avenue*, September 22, 2015.

[7] San Francisco Planning Department, *Preliminary Archeological Review, 838 Pacific Avenue*, September 10, 2015.

Mitigation Measure M-CR-2: Archeological Testing, discussed below, this impact would be less than significant.

Mitigation Measure M-CR-2: Archeological Testing

Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archeological consultant from the rotational Department Qualified Archeological Consultants List (QACL) maintained by the Planning Department archeologist. The project sponsor shall contact the Planning Department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sections 15064.5(a) and (c).

Consultation with Descendant Communities: On discovery of an archeological site[8] associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group, an appropriate representative[9] of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretive treatment of the associated archeological site. A copy of the Final Archeological Resources Report shall be provided to the representative of the descendant group.

Archeological Testing Program. The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological

[8] The term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

[9] An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Planning Department archeologist.

testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes a historical resource under CEQA.

At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If, based on the archeological testing program, the archeological consultant finds that significant archeological resources may be present, the ERO, in consultation with the archeological consultant, shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. No archeological data recovery shall be undertaken without the prior approval of the ERO or the Planning Department archeologist. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor, either:

a) the proposed project shall be redesigned to avoid any adverse effect on the significant archeological resource; or

b) a data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

Archeological Monitoring Program. If the ERO, in consultation with the archeological consultant, determines that an archeological monitoring program shall be implemented, the archeological monitoring program shall minimally include the following provisions:

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils-disturbing activities commencing. The ERO, in consultation with the archeological consultant, shall determine what project activities shall be archeologically monitored. In most cases, any soils-disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archeological resources and to their depositional context;

- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;

- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with the project archeological consultant, determined that

project construction activities could have no effects on significant archeological deposits;

- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If, in the case of pile driving activity, (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.

Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.

Archeological Data Recovery Program. The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.

- *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
- *Final Report.* Description of proposed report format and distribution of results.
- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

Human Remains and Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils-disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and, in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC), who shall appoint a Most Likely Descendant (MLD) (Public Resources Code Section 5097.98). The archeological consultant, project sponsor, ERO, and MLD shall have up to but not beyond six days of discovery to make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines. Section 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such as agreement has been made or, otherwise, as determined by the archeological consultant and the ERO.

Final Archeological Resources Report. The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

Once approved by the ERO, copies of the FARR shall be distributed as follows: the California Archeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy, and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning Division of the Planning Department shall receive one bound, one unbound, and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or

documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.

Impact CR-3: The proposed project would not disturb human remains. *(Less than Significant)*

Impacts on Native American burials are considered under Public Resources Code Section 15064.5(d)(1). When an Initial Study identifies the existence of, or the probable likelihood of, Native American human remains on a project site, the lead agency is required to work with the appropriate tribal entity, as identified by the California Native American Heritage Commission (NAHC). The lead agency may develop an agreement with the appropriate tribal entity for testing or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials. By implementing such an agreement, a project becomes exempt from the general prohibition on disinterring, disturbing, or removing human remains from any location other than a dedicated cemetery (Health and Safety Code Section 7050.5) and the requirements of CEQA pertaining to Native American human remains. The treatment of human remains and of associated or unassociated funerary objects discovered during the proposed project's soils-disturbing activities would comply with applicable state laws, including immediate notification of the City and County of San Francisco Coroner. If the Coroner were to determine that the remains are Native American, the NAHC would be notified and would appoint a Most Likely Descendant (Public Resources Code Section 5097.98).

In the event that human remains and associated funerary objects are discovered during excavation, the project sponsor and the construction contractor would be required to follow local, state, and federal procedures pertaining to the handling, relocation, and/or disposal with dignity of such remains and objects. This impact would be less than significant, and no mitigation measures are necessary.

Impact CR-4: The proposed project would not cause a substantial adverse change in the significance of a tribal cultural resource. *(Less than Significant)*

Tribal cultural resources are those resources that meet the definitions in Public Resources Code Section 21074. Tribal cultural resources are defined as sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are also either (a) included or determined to be eligible for inclusion in the California Register of Historical Resources or (b) included in a local register of historical resources as defined in Public Resources Code Section 5020.1(k). Based on discussions with Native American tribal representatives, in San Francisco, prehistoric archeological resources are presumed to be potential tribal cultural resources. A tribal cultural resource is adversely affected when a project impacts its significance.

Pursuant to Assembly Bill 52, effective July 1, 2015, within 14 days of a determination that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency is required to contact the Native American tribes that are culturally or traditionally affiliated with the geographic area in which the project is located. Notified tribes have 30 days to

request consultation with the lead agency to discuss potential impacts on tribal cultural resources and measures for addressing those impacts.

On September 14, 2015, the Planning Department mailed a "Tribal Notification Regarding Tribal Cultural Resources and CEQA" to the appropriate Native American tribal representatives who have requested notification. During the 30-day comment period, no Native American tribal representatives contacted the Planning Department to request consultation. As discussed in the PAR, there are no recorded prehistoric archeological sites in the project vicinity, and there is low potential for prehistoric archeological resources to be encountered on the project site.[10] For these reasons, the proposed project would not cause a substantial adverse change in the significance of a tribal cultural resource. This impact would be less than significant, and no mitigation measures are necessary.

Impact C-CR-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in cumulative impacts on cultural resources. ***(Less than Significant)***

As discussed above, implementation of the proposed project would not cause a substantial adverse change in the significance of a historical resource or a tribal cultural resource and would not disturb human remains. In addition, implementation of Mitigation Measure M-CR-2 would reduce impacts on archeological resources to less-than-significant levels. For these reasons, the proposed project would not make a considerable contribution to any cumulative impact on cultural resources that could result from past, present, or reasonably foreseeable future projects in the project vicinity.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
4. TRANSPORTATION AND CIRCULATION—Would the project:					
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐	☐
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐	☐

[10] San Francisco Planning Department, *Preliminary Archeological Review, 838 Pacific Avenue*, September 10, 2015.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒	☐
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	☐	☐	☐	☒	☐
e) Result in inadequate emergency access?	☐	☐	☐	☒	☐
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☒	☒	☐

Setting

The project site is on the southwest corner of Powell and Bay streets. Broadway runs east-west and has four lanes of travel (two in each direction) with curbside parking on either side of the street. Pacific Avenue runs east-west; the segment of Pacific Avenue adjacent to the project site has one westbound lane of travel with curbside parking on either side of the street. Cordelia Street runs north-south and has one northbound lane of travel with no parking on either side of the street. Broadway is designated as Bicycle Route No. 10. Stockton Street, which is half a block east of the project site, is designated as Bicycle Route No. 17. These bicycle routes do not have dedicated bicycle lanes; bicycles and cars share the same roadway.[11]

Approach to Analysis

Policy 10.4 of the Transportation Element of the *General Plan* directs City decision-makers to "consider the transportation system performance measurements in all decisions for projects that affect the transportation system." In order to determine whether the proposed project would conflict with a transportation- or circulation-related plan, ordinance, or policy, this section discusses the potential impacts that the proposed project could have on traffic, transit, pedestrian, bicycle, and emergency vehicle circulation as well as potential impacts associated with loading activities and construction activities.

Trip Generation

The proposed project consists of tenant improvements to the existing dwelling units and supporting accessory uses, upgrades to building and life safety systems, and structural upgrades to the existing building. There would be no increase in the number of dwelling units, the number of residents, or the number of parking spaces on the project site. For these reasons, there would be no increase in the number of daily or p.m. peak-hour person trips or vehicle trips.

[11] San Francisco Municipal Transportation Agency, *San Francisco Bike Map and Walking Guide*, 14th Edition, 2014. Available online at https://www.sfmta.com/maps/san-francisco-bike-map-and-walking-guide, accessed September 28, 2015.

Impact TR-1: The proposed project would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system and would not conflict with an applicable congestion management program. ***(Less than Significant)***

Traffic

As discussed above, the proposed project would not increase the number of daily or p.m. peak-hour vehicle trips to and from the project site and would not increase traffic volumes or the average delay at nearby intersections. No impact would occur.

Construction Traffic

Construction of the proposed project would take 24 months. Construction staging would occur primarily on the project site and is not expected to close any travel lanes on Bay Street or Powell Street; any necessary closures would be temporary. During the construction period, there would be a flow of construction-related trucks to and from the project site. Due to the slower movement and larger turning radii of trucks, there would be a temporary reduction in the capacities of local streets. Construction activities would generate construction worker trips to and from the project site and a temporary demand for parking and public transit. Construction workers would likely park their vehicles in nearby off-street parking facilities. The temporary demand for public transit would not exceed the capacity of local or regional transit service. Due to the temporary nature of the construction activities, the construction-related impacts on transportation and circulation would be less than significant. No mitigation measures are necessary, but the project sponsor has agreed to implement Improvement Measure I-TR-1: Construction Traffic, in order to minimize construction-related traffic congestion as much as possible.

Improvement Measure I-TR-1: Construction Traffic

The project sponsor should require the construction contractor to limit truck movements to the hours between 9:00 a.m. and 3:30 p.m., or other times if approved by the San Francisco Municipal Transportation Agency (SFMTA), in order to minimize the disruption of the general traffic flow on adjacent streets during the a.m. and p.m. peak periods. The project sponsor and construction contractor should meet with the Traffic Engineering Division of the SFMTA, the Fire Department, the San Francisco Municipal Railway (Muni), the Planning Department, and other City agencies to determine feasible measures to reduce traffic congestion and other potential transit and pedestrian circulation effects during the construction period. In addition, the construction contractor should make arrangements for off-site parking for construction workers during the construction period.

Loading

The proposed project would not increase the number of dwelling units or the number of residents on the project site, would not increase the number of daily truck trips to and from the project site, and would not increase the daily or p.m. peak-hour loading demand. No impact would occur.

Impact TR-2: The proposed project would not result in a change in air traffic patterns. ***(No Impact)***

The project site is not within the vicinity of a public airport, a public use airport, or a private airstrip. The existing building is 104 feet tall, but the proposed project would not increase the height of the building. Implementation of the proposed project would not result in changes to air traffic patterns. No impact would occur.

Impact TR-3: The proposed project would not increase hazards due to a design feature or incompatible uses. ***(No Impact)***

Implementation of the proposed project would not introduce a hazardous design feature, such as a sharp curve or a dangerous intersection. The proposed project would be constructed within the boundaries of the project site; there would be no alterations to the existing street grid. As discussed in Section E.1, Land Use and Land Use Planning, the proposed project does not include any land uses that would be incompatible with existing land uses in the project vicinity. For these reasons, the proposed project would not increase traffic hazards due to a design feature or incompatible use. No impact would occur.

Impact TR-4: The proposed project would not result in inadequate emergency access. ***(No Impact)***

Implementation of the proposed project would not result in the permanent closure of any existing streets in the project vicinity, so emergency vehicle access would remain unchanged from existing conditions. Emergency vehicles would continue to access the project site from Broadway, Pacific Avenue, or Cordelia Street. No impact would occur.

Impact TR-5: The proposed project would not conflict with adopted policies, plans or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such features. ***(No Impact)***

Transit

The proposed project would not increase the number of dwelling units or the number of residents on the project site. There would be no increase in the number of daily or p.m. peak-hour transit trips to and from the project site. For these reasons, the proposed project would not result in unacceptable levels of transit service or cause an increase in delays or operating costs. No impact would occur.

Bicycles

The proposed project would not increase the number of dwelling units or the number of residents on the project site. There would be no increase in the number of daily or p.m. peak-hour bicycle trips to and from the project site. Implementation of the proposed project would not alter the existing street grid or result in other physical changes that would affect Bicycle Route No. 10 along Broadway or Bicycle Route No. 17 along Stockton Street. The proposed project would not generate any new daily or p.m. peak-hour vehicle trips that would affect bicycle traffic

on either of these bicycle routes. For these reasons, the proposed project would not conflict with adopted policies, plans or programs regarding bicycle facilities or decrease the performance or safety of such features. No impact would occur.

Pedestrians

As discussed above, the proposed project would not increase the number of dwelling units or the number of residents on the project site. There would be no incrase in the number of daily or p.m. peak-hour pedestrian trips to and from the project site. Implementation of the proposed project would not result in the narrowing of sidewalks, the expansion of roadways, or other alterations to the existing street grid. For these reasons, the proposed project would not affect pedestrian flows on nearby sidewalks. No impact would occur.

Impact C-TR-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would result in less-than-significant cumulative impacts related to transportation. ***(Less than Significant)***

Construction of the proposed project could overlap with construction of nearby cumulative development projects. The combined construction-related traffic would be temporary and would not result in permanent impacts related to transportation and circulation. As discussed under Impacts TR-1, TR-4, and TR-5, the proposed project would result in less-than-significant impacts on traffic and would have no impact on emergency access, transit, bicycles, and pedestrians. For these reasons, the proposed project would not make a considerable contribution to any cumulative impact related to transportation and circulation that could result from past, present, or reasonably foreseeable future projects in the project vicinity.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
5. NOISE—Would the project:					
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐	☐
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐	☐
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	☐
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	☐

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	☐	☐	☐	☐	☒
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☐	☒
g) Be substantially affected by existing noise levels?	☐	☐	☒	☐	☐

In San Francisco, noise is regulated by a number of state and local ordinances and plans. Title 24 of the California Code of Regulations (Title 24) establishes uniform noise insulation standards for multi-unit residential projects. This state regulation requires meeting an interior standard of 45 dBA DNL in any habitable room.[12, 13]

The Environmental Protection Element of the *General Plan* contains Land Use Compatibility Guidelines for Community Noise.[14] These guidelines establish maximum acceptable ambient noise levels for various newly developed land uses. For residential uses, the maximum satisfactory noise level without incorporating noise insulation into a project is 60 dBA DNL, while the guidelines indicate that residential development should be discouraged at noise levels above 70 dBA DNL. Where ambient noise levels exceed 65 dBA DNL, a detailed analysis of noise reduction requirements is typically necessary before final review and approval, and new residences must include noise insulation features.

In the *San Francisco 2004 and 2009 Housing Element EIR* (*Housing Element EIR*), Mitigation Measure NO-1: Interior and Exterior Noise, requires the preparation of a noise analysis for new residential development located on streets with noise levels above 75 dBA DNL. The noise analysis shall include, at a minimum, (1) a site survey to identify potential noise-generating uses within two blocks of the project site and (2) at least one 24-hour noise measurement with maximum noise level readings taken at least every 15 minutes prior to completion of the environmental review. The analysis shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met and that there are no particular circumstances about the

[11] The standard method used to quantify environmental noise involves evaluating the sound with an adjustment to reflect the fact that human hearing is less sensitive to low-frequency sound than to mid- and high-frequency sound. This measurement adjustment is called "A" weighting, and the data are reported in A-weighted decibels (dBA).

[12] DNL is the average equivalent sound level during a 24-hour day, obtained after the addition of 10 dB to sound levels during nighttime hours (from 10:00 p.m. until 7:00 a.m.).

[14] San Francisco Planning Department, *San Francisco General Plan*, Environmental Protection Element, Policy 11.1, Land Use Compatibility Chart for Community Noise. Available online at http://www.sf-planning.org/ftp/general_plan/I6_Environmental_Protection.htm, accessed October 13, 2015.

project site that appear to warrant heightened concern about noise levels in the project vicinity. Should such concerns be present, the Planning Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action in order to demonstrate that acceptable interior noise levels consistent with Title 24 standards can be attained.

To minimize effects on development in noisy areas, Mitigation Measure M-NO-1 of the *Housing Element EIR* also requires that open space for new residential uses be protected, to the maximum extent feasible, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. Implementation of this measure could involve designing the project in a way that uses the building itself to shield on-site open space from noise sources, constructing noise barriers between on-site open space and noise sources, and appropriately using both common and private open space in multi-unit residential buildings. Implementation of this measure should be undertaken consistent with other principles of urban design.

Noise from construction activities and from the operation of building equipment is regulated by the San Francisco Noise Ordinance (Noise Ordinance), which is codified as Article 29 of the San Francisco Police Code. Section 2907 of the Noise Ordinance requires that noise levels from any individual piece of construction equipment, other than impact tools, not exceed 80 dBA at a distance of 100 feet from the source. Impact tools (e.g., jackhammers, impact wrenches) must have both intake and exhaust muffled to the satisfaction of the Department of Public Works (DPW) or the Department of Building Inspection (DBI). Section 2908 of the Noise Ordinance prohibits construction between 8:00 p.m. and 7:00 a.m. if noise would exceed the ambient noise level by 5 dBA at the project site's property line, unless a special permit is authorized by the DPW or the DBI. Section 2909 of the Noise Ordinance establishes a noise limit from mechanical sources, such as building equipment, specified as a certain noise level in excess of the ambient noise level at the property line: for noise generated by residential uses, the source must not cause a noise level more than 5 dBA in excess of ambient noise levels; for noise generated by commercial and industrial uses, the limit is 8 dBA in excess of ambient noise levels; for noise on public property, including streets, the limit is 10 dBA in excess of ambient noise levels. In addition, the Noise Ordinance provides for a separate fixed-source noise limit for residential interiors of 45 dBA at night (from 10:00 p.m. until 7:00 a.m.) and 55 dBA during the day and evening hours (from 7:00 a.m. until 10:00 p.m.).

Impact NO-1: The proposed project would expose people to or generate noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies, but it would not result in a permanent increase in ambient noise levels in the project vicinity or be affected by existing noise levels. ***(Less than Significant)***

Residential uses are considered sensitive receptors for the purpose of noise impact analysis. The project site is in an area with ambient noise levels that are about 75 dBA DNL. The existing residential uses have existed on the project site since 1961, and the proposed project would not introduce new residential uses to the project site. There would be no new residential uses or other sensitive receptors that would be affected by existing noise levels. For these reasons, a noise analysis pursuant to the Environmental Protection Element of the *General Plan* and Mitigation Measure M-NO-1 of the *Housing Element EIR* is not required. Furthermore, the

proposed project would not provide new open space on the project site. For this reason, the portion of Mitigation Measure M-NO-1 of the *Housing Element EIR* that addresses shielding on-site open space from noise sources is not applicable. To the extent that Title 24 noise regulations are applicable to existing dwelling units, the proposed project would comply with these regulations. As part of its review of the building permit application(s) for the proposed project, the DBI would determine if Title 24 noise regulations are applicable.

As discussed in Section B, Project Setting, there are residential uses adjacent to and near the project site. The proposed project would include new and/or upgraded mechanical equipment, such as heating and ventilation systems, that could produce operational noise and potentially disturb adjacent and nearby sensitive receptors. The operation of this mechanical equipment is subject to the provisions of Section 2909 of the Noise Ordinance. Compliance with the Noise Ordinance would minimize noise from building operations. Moreover, the design of any on-site noise-generating mechanical equipment would be required to include noise muffling devices or shielding to reduce noise levels that may affect adjacent and nearby sensitive receptors.

For these reasons, the proposed project would not result in a permanent increase in ambient noise levels in the project vicinity and would not be affected by existing noise levels. This impact would be less than significant, and no mitigation measures are necessary.

Impact NO-2: The proposed project would not expose people to or generate excessive groundborne vibration or groundborne noise levels. *(Less than Significant)*

In the project vicinity, vehicular traffic is the primary source of noise and vibration. The traffic volume at a given location would need to double in order to produce a 3-dB increase in ambient noise levels, which would be barely perceptible to most people.[15] As discussed in Section E.4, Transportation and Circulation, the proposed project would not increase the number of daily or p.m. peak-hour vehicle trips to and from the project site. The proposed project would not increase traffic volumes on Broadway, Pacific Avenue, or Cordelia Street and would not increase traffic-related ambient noise and vibration levels.

The proposed project consists of tenant improvements to the existing dwelling units and supporting accessory uses, upgrades to building and life safety systems, and structural upgrades to the existing building. The structural upgrades include the installation of new three-foot-deep footings to support new shear walls, the installation of about 156 new micropiles, and the installation of a small footing for a new enclosure around the existing cogeneration plant.

The holes for the micropiles would be pre-drilled, so there would be no noise or vibration impacts associated with pile driving during construction. The proposed project's construction activities would be temporary in nature; once construction has been completed, noise and vibration produced by construction equipment and construction vehicles would cease.

[15] United States Department of Transportation, Federal Highway Administration, *Highway Traffic Noise: Analysis and Abatement Guidance*, December 2011, p. 9. Available online at http://www.fhwa.dot.gov/environment/noise/regulations_and_guidance/analysis_and_abatement_guidance/revguidance.pdf, accessed October 13, 2015.

Older buildings, particularly masonry buildings, can be damaged by excessive vibration associated with construction activities. As discussed above, construction of the proposed project would not generate excessive vibration that could damage adjacent or nearby buildings. In addition, the DBI is responsible for reviewing the building permit application to ensure that proposed construction activities, including shoring and underpinning, comply with all applicable procedures and requirements and would not materially impair adjacent or nearby buildings.

For these reasons, the proposed project would not expose people to or generate excessive groundborne vibration or groundborne noise levels. This impact would be less than significant, and no mitigation measures are necessary.

Impact NO-3: The proposed project would not result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity. *(Less than Significant)*

Construction of the proposed project would temporarily increase noise levels in the project vicinity. Construction equipment would generate noise that could be considered an annoyance by occupants of nearby properties, but construction noise would fluctuate depending on the construction phase, equipment type, duration of use, and distance between the source and the listener. Furthermore, construction noise would be intermittent and limited to the construction period of the proposed project, which is expected to last 16 to 18 months.

As discussed above, construction noise is regulated by Sections 2907 and 2908 of the Noise Ordinance. Compliance with the Noise Ordinance would ensure that the proposed project would not result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity. This impact would be less than significant. No mitigation measures are necessary, but the project sponsor has agreed to implement Improvement Measure I-NO-3: Construction Noise, in order to minimize construction-related noise as much as possible.

Improvement Measure I-NO-3: Construction Noise

The project sponsor should develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures should be submitted to the DBI to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures should include as many of the following control strategies as feasible:

- Erect temporary plywood noise barriers around the construction site;
- Utilize noise control blankets on the building as the building is erected to reduce noise emission from the site;
- Monitor the effectiveness of noise attenuation measures by taking noise measurements; and
- Post signs on-site with information regarding permitted construction days and hours, complaint procedures, and the name(s) and telephone number(s) of the individual(s) to be contacted in the event of a problem.

Impact NO-4: The proposed project would not expose people residing or working in the area to excessive noise levels from nearby airports or airstrips. *(Not Applicable)*

The project site is not located within an area covered by an airport land use plan, within two miles of a public airport or a public use airport, or within the vicinity of a private airstrip. Therefore, significance criteria 5e and 5f are not applicable to the proposed project.

Impact C-NO-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would result in less-than-significant cumulative impacts related to noise and vibration. *(Less than Significant)*

Cumulative development in the project vicinity would result in temporary and intermittent construction noise and would introduce sensitive receptors (the Chinese Hospital Replacement Project) to an area with elevated ambient noise and vibration levels. Like the proposed project, nearby cumulative development projects would be subject to the provisions of Title 24, the Environmental Protection Element of the *General Plan*, and the Noise Ordinance. Compliance with these regulations would reduce the noise impacts of nearby cumulative development projects to less-than-significant levels. Construction-related vibration impacts from nearby cumulative development projects would be localized at their respective sites and would not combine to create cumulative vibration impacts. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative noise or vibration impact.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
6. AIR QUALITY—Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐	☐

Setting

Overview

The Bay Area Air Quality Management District (BAAQMD) is the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin (SFBAAB), which includes San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, and Napa Counties and portions of Sonoma and Solano Counties. The BAAQMD is responsible for attaining and maintaining air quality in the SFBAAB within federal and state air quality standards, as established by the federal Clean Air Act (CAA) and the California Clean Air Act (CCAA), respectively. Specifically, the BAAQMD has the responsibility to monitor ambient air pollutant levels throughout the SFBAAB and to develop and implement strategies to attain the applicable federal and state standards. The CAA and the CCAA require plans to be developed for areas that do not meet air quality standards, generally. The most recent air quality plan, the *2010 Clean Air Plan*, was adopted by the BAAQMD on September 15, 2010. The *2010 Clean Air Plan* updates the *Bay Area 2005 Ozone Strategy* in accordance with the requirements of the CCAA to implement all feasible measures to reduce ozone; provide a control strategy to reduce ozone, particulate matter, air toxics, and greenhouse gases in a single, integrated plan; and establish emission control measures to be adopted or implemented. The *2010 Clean Air Plan* contains the following primary goals:

- Attain air quality standards;
- Reduce population exposure and protect public health in the San Francisco Bay Area; and
- Reduce greenhouse gas emissions and protect the climate.

The *2010 Clean Air Plan* represents the most current applicable air quality plan for the SFBAAB. Consistency with this plan is the basis for determining whether the proposed project would conflict with or obstruct implementation of air quality plans.

Criteria Air Pollutants

In accordance with the state and federal CAAs, air pollutant standards are identified for the following six criteria air pollutants: ozone, carbon monoxide (CO), particulate matter (PM), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), and lead. These air pollutants are termed criteria air pollutants because they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. In general, the SFBAAB experiences low concentrations of most pollutants when compared to federal or state standards. The SFBAAB is designated as either in attainment[16] or unclassified for most criteria pollutants with the exception of ozone, $PM_{2.5}$, and PM_{10}; these pollutants are designated as non-attainment for either the state or federal standards. By its very nature, regional air pollution is largely a cumulative impact in that no single project, by itself, is sufficient in size to result in non-attainment of air quality standards.

[16] "Attainment" status refers to those regions that are meeting federal and/or state standards for a specified criteria pollutant. "Non-attainment" refers to regions that do not meet federal and/or state standards for a specified criteria pollutant. "Unclassified" refers to regions where there is not enough data to determine the region's attainment status for a specified criteria air pollutant.

Instead, a project's individual emissions contribute to existing cumulative air quality impacts. If a project's contribution to cumulative air quality impacts is considerable, then the project's impact on air quality would be considered significant.[17]

Land use projects may contribute to regional criteria air pollutants during the construction and operational phases of a project. Table 1: Criteria Air Pollutant Significance Thresholds, identifies air quality significance thresholds followed by a discussion of each threshold. Projects that would result in criteria air pollutant emissions below these significance thresholds would not violate an air quality standard, contribute substantially to an air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants within the SFBAAB.

Table 1: Criteria Air Pollutant Significance Thresholds

Pollutant	Construction Thresholds	Operational Thresholds	
	Average Daily Emissions (lbs./day)	Average Daily Emissions (lbs./day)	Maximum Annual Emissions (tons/year)
ROG	54	54	10
NO_x	54	54	10
PM_{10}	82 (exhaust)	82	15
$PM_{2.5}$	54 (exhaust)	54	10
Fugitive Dust	Construction Dust Ordinance or other Best Management Practices	Not Applicable	

Ozone Precursors. As discussed previously, the SFBAAB is currently designated as non-attainment for ozone and particulate matter. Ozone is a secondary air pollutant produced in the atmosphere through a complex series of photochemical reactions involving reactive organic gases (ROG) and oxides of nitrogen (NO_x). The potential for a project to result in a cumulatively considerable net increase in criteria air pollutants, which may contribute to an existing or projected air quality violation, are based on the state and federal CAA emissions limits for stationary sources. To ensure that new stationary sources do not cause or contribute to a violation of an air quality standard, BAAQMD Regulation 2, Rule 2 requires that any new source that emits criteria air pollutants above a specified emissions limit must offset those emissions. For ozone precursors ROG and NO_x, the offset emissions level is an annual average of 10 tons per year (or 54 pounds (lbs.) per day).[18] These levels represent emissions below which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants.

Although this regulation applies to new or modified stationary sources, land use development projects result in ROG and NO_x emissions as a result of increases in vehicle trips, architectural coating and construction activities. Therefore, the thresholds discussed above can be applied to the construction and operational phases of land use projects. Those projects that result in

[17] Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, May 2011, p. 2-1

[18] BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, p. 17

emissions below these thresholds would not be considered to contribute to an existing or projected air quality violation or result in a considerable net increase in ROG and NO_x emissions. Due to the temporary nature of construction activities, only the average daily thresholds are applicable to construction phase emissions.

Particulate Matter (PM_{10} and $PM_{2.5}$).[19] The BAAQMD has not established an offset limit for $PM_{2.5}$. However, the emissions limit in the federal New Source Review (NSR) program for stationary sources in nonattainment areas is an appropriate significance threshold. For PM_{10} and $PM_{2.5}$, the emissions limit under the federal NSR program is 15 tons per year (82 lbs. per day) and 10 tons per year (54 lbs. per day), respectively. These emissions limits represent levels below which a source is not expected to have an impact on air quality.[20] As with ozone precursors, land use development projects typically result in particulate matter emissions as a result of increases in vehicle trips, space heating and natural gas combustion, landscape maintenance, and construction activities. Therefore, the thresholds discussed above can be applied to the construction and operational phases of a land use project. Again, because construction activities are temporary in nature, only the average daily thresholds are applicable to construction-phase emissions.

Fugitive Dust. Fugitive dust emissions are typically generated during construction phases. Studies have shown that the application of best management practices (BMPs) at construction sites significantly control fugitive dust[21] and individual measures have been shown to reduce fugitive dust by anywhere from 30 to 90 percent.[22] The BAAQMD has identified a number of BMPs to control fugitive dust emissions from construction activities.[23] The City's Construction Dust Control Ordinance (Ordinance No. 176-08, effective August 29, 2008) requires a number of measures to control fugitive dust, and the BMPs employed in compliance with the City's Construction Dust Control Ordinance is an effective strategy for controlling construction-related fugitive dust.

Other Criteria Pollutants. Regional concentrations of CO in the Bay Area have not exceeded the state standards in the past 11 years, and SO_2 concentrations have never exceeded the standards. The primary source of CO emissions from development projects is vehicle traffic. Construction-related SO_2 emissions represent a negligible portion of the total Bay Area basin-wide emissions, and construction-related CO emissions represent less than five percent of the total Bay Area basin-wide CO emissions. As discussed previously, the Bay Area is in attainment for both CO and SO_2. Furthermore, the BAAQMD has demonstrated, based on modeling, that in order to exceed the California ambient air quality standard of 9.0 ppm (an 8-hour average) or 20.0 ppm

---

[19] PM_{10} is often termed "coarse" particulate matter and is made of particulates that are 10 microns in diameter or smaller. $PM_{2.5}$, termed "fine" particulate matter, is composed of particles that are 2.5 microns or less in diameter.

[20] BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, p. 16.

[21] Western Regional Air Partnership, *WRAP Fugitive Dust Handbook*, September 7, 2006. Available online at http://www.wrapair.org/forums/dejf/fdh/content/FDHandbook_Rev_06.pdf, accessed October 13, 2015.

[22] BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, p. 27.

[23] BAAQMD, *CEQA Air Quality Guidelines*, May 2011.

(a 1-hour average) for CO, project traffic in addition to existing traffic would need to exceed 44,000 vehicles per hour at affected intersections (or 24,000 vehicles per hour where vertical and/or horizontal mixing is limited). Therefore, given the Bay Area's attainment status and the limited CO and SO_2 emissions that could result from development projects, implementation of development projects would not result in a cumulatively considerable net increase in CO or SO_2, and quantitative analysis is not required.

Local Health Risks and Hazards

In addition to criteria air pollutants, individual projects may emit toxic air contaminants (TACs). TACs collectively refer to a diverse group of air pollutants that are capable of causing chronic (i.e., of long-duration) and acute (i.e., severe but short-term) adverse effects on human health, including carcinogenic effects. Human health effects of TACs include birth defects, neurological damage, cancer, and mortality. There are hundreds of different types of TACs with varying degrees of toxicity. Individual TACs vary greatly in the health risk they present; at a given level of exposure, one TAC may pose a hazard that is many times greater than another.

Unlike criteria air pollutants, TACs do not have ambient air quality standards but are regulated by the BAAQMD using a risk-based approach to determine which sources and pollutants to control as well as the degree of control. A health risk assessment is an analysis in which human health exposure to toxic substances is estimated and considered together with information regarding the toxic potency of the substances to provide quantitative estimates of health risks.[24]

Air pollution does not affect every individual in the population in the same way, and some groups are more sensitive to adverse health effects than others. Land uses such as residences, schools, children's day care centers, hospitals, and nursing and convalescent homes are considered to be the most sensitive to poor air quality, because the population groups associated with these uses have increased susceptibility to respiratory distress or, as in the case of residential receptors, their exposure time is greater than that for other land uses. Therefore, these groups are referred to as sensitive receptors. Exposure assessment guidance typically assumes that residences would be exposed to air pollution 24 hours per day, 350 days per year, for 70 years. Therefore, assessments of air pollutant exposure to residents typically result in the greatest adverse health outcomes of all population groups.

Exposures to fine particulate matter ($PM_{2.5}$) are strongly associated with mortality, respiratory diseases, and lung development in children, and other endpoints such as hospitalization for cardiopulmonary disease.[25] In addition to $PM_{2.5}$, diesel particulate matter (DPM) is also of concern. The California Air Resources Board (ARB) identified DPM as a TAC in 1998, primarily

[24] In general, a health risk assessment is required if the BAAQMD concludes that projected emissions of a specific air toxic compound from a proposed new or modified source suggest a potential public health risk. The applicant is then subject to a health risk assessment for the source in question. Such an assessment generally evaluates chronic, long-term effects, estimating the increased risk of cancer as a result of exposure to one or more TACs.

[25] San Francisco Department of Public Health, *Assessment and Mitigation of Air Pollutant Health Effects from Intra-Urban Roadways: Guidance for Land Use Planning and Environmental Review*, May 2008.

based on evidence demonstrating cancer effects in humans.[26] The estimated cancer risk from exposure to diesel exhaust is much higher than the risk associated with any other TAC routinely measured in the region.

In an effort to identify areas of San Francisco most adversely affected by sources of TACs, San Francisco partnered with the BAAQMD to conduct a citywide health risk assessment based on an inventory and assessment of air pollution and exposures from mobile, stationary, and area sources within San Francisco. Areas with poor air quality, termed the "Air Pollutant Exposure Zone" (APEZ) were identified based on health-protective criteria that consider estimated cancer risk, exposure to fine particulate matter, proximity to freeways, and locations with particularly vulnerable populations. The project site is not located within an APEZ. Each of the APEZ criteria is discussed below.

Excess Cancer Risk. The above 100 per one million persons (100 excess cancer risk) criterion is based on United States Environmental Protection Agency (USEPA) guidance for conducting air toxic analyses and making risk management decisions at the facility and community-scale level.[27] As described by the BAAQMD, the USEPA considers a cancer risk of 100 per one million to be within the "acceptable" range of cancer risk. Furthermore, in the 1989 preamble to the benzene National Emissions Standards for Hazardous Air Pollutants (NESHAP) rulemaking,[28] the USEPA states that it "... strives to provide maximum feasible protection against risks to health from hazardous air pollutants by (1) protecting the greatest number of persons possible by limiting the individual lifetime risk level to no higher than approximately one in one million and (2) limiting to no higher than approximately one in ten thousand [100 in one million] the estimated risk that a person living near a plant would have if he or she were exposed to the maximum pollutant concentrations for 70 years." The 100 per one million excess cancer cases is also consistent with the ambient cancer risk in the most pristine portions of the Bay Area based on BAAQMD regional modeling.[29]

Fine Particulate Matter. In April 2011, the USEPA published *Policy Assessment for the Particulate Matter Review of the National Ambient Air Quality Standards*, "Particulate Matter Policy Assessment." In this document, USEPA staff concludes that the then-current federal annual $PM_{2.5}$ standard of 15 micrograms per cubic meter ($\mu g/m^3$) should be revised to a level within the range of 13 to 11 $\mu g/m^3$, with evidence strongly supporting a standard within the range of 12 to 11 $\mu g/m^3$. The APEZ for San Francisco is based on the health protective $PM_{2.5}$ standard of 11 $\mu g/m^3$, as supported by the USEPA's Particulate Matter Policy Assessment, although lowered to 10 $\mu g/m^3$ to account for uncertainty in accurately predicting air pollutant concentrations using emissions modeling programs.

---

[26] California Air Resources Board (ARB), Fact Sheet, "The Toxic Air Contaminant Identification Process: Toxic Air Contaminant Emissions from Diesel-fueled Engines," October 1998.

[27] BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, p. 67.

[28] 54 Federal Register 38044, September 14, 1989.

[29] BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, p. 67.

Proximity to Freeways. According to the California ARB, studies have shown an association between the proximity of sensitive land uses to freeways and a variety of respiratory symptoms, asthma exacerbations, and decreases in lung function in children. Siting sensitive uses in close proximity to freeways increases both exposure to air pollution and the potential for adverse health effects. As evidence shows that sensitive uses in an area within a 500-foot buffer of any freeway are at an increased health risk from air pollution,[30] lots that are within 500 feet of freeways are included in the APEZ.

Health Vulnerable Locations. Based on the BAAQMD's evaluation of health vulnerability in the Bay Area, those zip codes (94102, 94103, 94105, 94124, and 94130) in the worst quintile of Bay Area Health vulnerability scores as a result of air pollution-related causes were afforded additional protection by lowering the standards for identifying lots in the APEZ to: (1) an excess cancer risk greater than 90 per one million persons exposed, and/or (2) $PM_{2.5}$ concentrations in excess of 9 $\mu g/m^3$.[31]

The above citywide health risk modeling was also used as the basis in approving a series of amendments to the San Francisco Building and Health Codes (Ordinance No. 224-14, effective December 7, 2014), generally referred to as Health Code Article 38: Enhanced Ventilation Required for Urban Infill Sensitive Use Developments (Article 38). The purpose of Article 38 is to protect the public health and welfare by establishing an APEZ and imposing an enhanced ventilation requirement for all urban infill sensitive use development within the APEZ. In addition, projects within the APEZ require special consideration to determine whether the project's activities would add a substantial amount of emissions to areas already adversely affected by poor air quality.

The APEZ was also used as the basis in approving a series of amendments to the San Francisco Environment and Administrative Codes, generally referred to as the Clean Construction Ordinance or Environment Code Section 25 (Ordinance No. 28-15, effective April 19, 2015). The purpose of the Clean Construction Ordinance is to protect the public health, safety, and welfare by requiring contractors on City public works projects to reduce diesel and other PM emissions generated by construction activities.

Construction Air Quality Impacts

Project-related air quality impacts fall into two categories: short-term impacts from construction and long-term impacts from project operation. The following addresses construction-related air quality impacts resulting from the proposed project.

Impact AQ-1: The proposed project's construction activities would generate fugitive dust and criteria air pollutants but would not violate an air quality standard, contribute substantially to

---

[30] California Air Resources Board, *Air Quality and Land Use Handbook: A Community Health Perspective*, April 2005. Available online at: http://www.arb.ca.gov/ch/landuse.htm, accessed October 13, 2015.

[31] San Francisco Planning Department and San Francisco Department of Public Health, *2014 Air Pollutant Exposure Zone Map (Memo and Map)*, April 9, 2014. These documents are part of San Francisco Board of Supervisors File No. 14806, Ordinance No. 224-14, Amendment to Health Code Article 38.

an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. ***(Less than Significant)***

Construction activities (short-term) typically result in emissions of ozone precursors and PM in the form of dust (fugitive dust) and exhaust (e.g., vehicle tailpipe emissions). Emissions of ozone precursors and PM are primarily a result of the combustion of fuel from on-road and off-road vehicles. However, ROGs are also emitted from activities that involve painting, other types of architectural coatings, or asphalt paving. The proposed project consists of tenant improvements to the existing dwelling units and supporting accessory uses, upgrades to building and life safety systems, and structural upgrades to the existing building. During the project's approximately 24-month construction period, construction activities would have the potential to result in emissions of ozone precursors and PM, as discussed below.

Fugitive Dust

Project-related demolition, excavation, grading, and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. Although there are federal standards for air pollutants and implementation of state and regional air quality control plans, air pollutants continue to have impacts on human health throughout the country. California has found that particulate matter exposure can cause health effects at lower levels than national standards. The current health burden of particulate matter demands that, where possible, public agencies take feasible available actions to reduce sources of particulate matter exposure. According to the California ARB, reducing $PM_{2.5}$ concentrations to state and federal standards of 12 $\mu g/m^3$ in the San Francisco Bay Area would prevent between 200 and 1,300 premature deaths.[32]

Dust can be an irritant causing watering eyes or irritation to the lungs, nose, and throat. Demolition, excavation, grading, and other construction activities can cause wind-blown dust that adds particulate matter to the local atmosphere. Depending on exposure, adverse health effects can occur due to this particulate matter in general and also due to specific contaminants such as lead or asbestos that may be constituents of soil.

In response, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes generally referred to as the Construction Dust Control Ordinance (Ordinance No. 176-08, effective August 29, 2008) with the intent of reducing the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and avoid orders to stop work by the Department of Building Inspection (DBI).

The Construction Dust Control Ordinance requires that all site preparation work, demolition, or other construction activities within San Francisco that have the potential to create dust or to expose or disturb more than 10 cubic yards or 500 square feet of soil comply with specified dust control measures whether or not the activity requires a permit from the DBI. The Director of the

[32] ARB, *Methodology for Estimating Premature Deaths Associated with Long-term Exposure to Fine Airborne Particulate Matter in California*, Staff Report, Table 4c, October 24, 2008.

DBI may waive this requirement for activities on sites less than one-half-acre that are unlikely to result in any visible wind-blown dust.

In compliance with the Construction Dust Control Ordinance, the project sponsor and the contractor responsible for construction activities at the project site would be required to use the following practices to control construction dust on the site or other practices that result in equivalent dust control that are acceptable to the Director of the DBI. Dust suppression activities may include watering all active construction areas sufficiently to prevent dust from becoming airborne; increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. During excavation and dirt-moving activities, contractors shall wet sweep or vacuum the streets, sidewalks, paths, and intersections where work is in progress at the end of the workday. Inactive stockpiles (where no disturbance occurs for more than seven days) greater than 10 cubic yards or 500 square feet of excavated material, backfill material, import material, gravel, sand, road base, and soil shall be covered with a 10-mil (0.01-inch) polyethylene plastic (or equivalent) tarp, braced down, or use other equivalent soil stabilization techniques. San Francisco Public Works Code Article 21 (Ordinance No. 175-91) restricts the use of potable water for soil compaction and dust control activities undertaken in conjunction with any construction or demolition project occurring within the boundaries of San Francisco, unless permission is obtained from the San Francisco Public Utilities Commission (SFPUC). Non-potable water must be used for soil compaction and dust control activities during project construction and demolition. The SFPUC operates a recycled water truck-fill station at the Southeast Water Pollution Control Plant that provides recycled water for these activities at no charge.

For projects over one half-acre, such as the proposed project, the Dust Control Ordinance requires that the project sponsor submit a Dust Control Plan for approval by the San Francisco Department of Public Health (DPH). The DBI will not issue a building permit without written notification from the Director of the DPH that the project sponsor has submitted a site-specific Dust Control Plan, unless the Director waives the requirement. Interior-only tenant improvement projects that are over one-half acre in size that will not produce exterior visible dust are exempt from the site-specific Dust Control Plan requirement.

The site-specific Dust Control Plan would require the project sponsor to: submit a map to the Director of the DPH showing all sensitive receptors within 1,000 feet of the project site; wet down areas of soil at least three times per day; provide an analysis of wind direction and install upwind and downwind particulate dust monitors; record particulate monitoring results; hire an independent, third party to conduct inspections and keep a record of those inspections; establish shut-down conditions based on wind, soil migration, etc.; establish a hotline for surrounding community members who may be potentially affected by project-related dust; limit the area subject to construction activities at any one time; install dust curtains and windbreaks on the property lines, as necessary; limit the amount of soil in hauling trucks to the size of the truck bed and securing with a tarpaulin; enforce a 15 mile per hour speed limit for vehicles entering and exiting construction areas; sweep affected streets with water sweepers at the end of the day; install and utilize wheel washers to clean truck tires; terminate construction activities when winds exceed 25 miles per hour; apply soil stabilizers to inactive areas; and sweep off adjacent

streets to reduce particulate emissions. The project sponsor would be required to designate an individual to monitor compliance with these dust control requirements. Compliance with the regulations and procedures set forth in the San Francisco Dust Control Ordinance would ensure that potential dust-related air quality impacts would be reduced to less-than-significant levels.

Criteria Air Pollutants

As discussed above, construction activities would result in emissions of criteria air pollutants from the use of off- and on-road vehicles and equipment. To assist lead agencies in determining whether short-term construction-related air pollutant emissions require further analysis as to whether the project may exceed the criteria air pollutant significance thresholds shown in Table 1, above, the BAAQMD, in its *CEQA Air Quality Guidelines* (May 2011), developed screening criteria. If a proposed project does not exceed the screening criteria, then construction of the project would result in less-than-significant criteria air pollutant impacts. A proposed project that exceeds the screening criteria may require a detailed air quality assessment to determine whether criteria air pollutant emissions would exceed significance thresholds. The *CEQA Air Quality Guidelines* note that the screening levels are generally representative of new development on greenfield sites[33] without any form of mitigation measures taken into consideration. In addition, the screening criteria do not account for project design features, attributes, or local development requirements that could also result in lower emissions.

The proposed project consists of tenant improvements to the existing dwelling units and supporting accessory uses, upgrades to building and life safety systems, and structural upgrades to the existing building. The proposed project is below the construction screening criterion for the "apartment, mid-rise, 240 dwelling units" land use type identified in the BAAQMD's *CEQA Air Quality Guidelines*. Thus, quantification of construction-related criteria air pollutant emissions is not required, and the proposed project's construction activities would result in a less-than-significant criteria air pollutant impact.

Impact AQ-2: The proposed project's construction activities would generate toxic air contaminants, including diesel particulate matter, but would not expose sensitive receptors to substantial pollutant concentrations. *(Less than Significant)*

As discussed above, the project site is not within an APEZ. Regarding construction emissions, off-road equipment (which includes construction-related equipment) is a large contributor to DPM emissions in California, although since 2007, the ARB has found the emissions to be substantially lower than previously expected.[34] Newer and more refined emission inventories have substantially lowered the estimates of DPM emissions from off-road equipment such that

[33] A greenfield site refers to agricultural or forest land or an undeveloped site earmarked for commercial, residential, or industrial projects.

[34] ARB, *Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to the Regulation for In-Use Off-Road Diesel-Fueled Fleets and the Off-Road Large Spark-Ignition Fleet Requirements*, p. 1 and p. 13 (Figure 4), October 2010.

off-road equipment is now considered the sixth largest source of DPM emissions in California.[35] This reduction in emissions is due, in part, to effects of the economic recession and refined emissions estimation methodologies. For example, revised total PM emission estimates for the year 2010, of which DPM is a major component, have decreased by 83 percent from previous 2010 emission estimates for the SFBAAB.[36] Approximately half of the reduction can be attributed to the economic recession and approximately half can be attributed to updated assumptions independent of the economic recession (e.g., updated methodologies used to better assess construction emissions).[37]

Additionally, a number of federal and state regulations are requiring cleaner off-road equipment. Specifically, both the USEPA and California have set emissions standards for new off-road equipment engines, ranging from Tier 1 to Tier 4. Tier 1 emission standards were phased in between 1996 and 2000, and Tier 4 Interim and Final emission standards for all new engines would be phased in between 2008 and 2015. To meet the Tier 4 emission standards, engine manufacturers will be required to produce new engines with advanced emission-control technologies. Although the full benefits of these regulations will not be realized for several years, the USEPA estimates that by implementing the federal Tier 4 standards, NO_x and PM emissions will be reduced by more than 90 percent.[38]

In addition, construction activities do not lend themselves to analysis of long-term health risks because of their temporary and variable nature. As explained in the BAAQMD's *CEQA Air Quality Guidelines*:

> "Due to the variable nature of construction activity, the generation of TAC emissions in most cases would be temporary, especially considering the short amount of time such equipment is typically within an influential distance that would result in the exposure of sensitive receptors to substantial concentrations. Concentrations of mobile-source diesel PM emissions are typically reduced by 70 percent at a distance of approximately 500 feet (ARB 2005). In addition, current models and methodologies for conducting health risk assessments are associated with longer-term exposure periods of 9, 40, and 70 years, which do not correlate well with the temporary and highly variable nature of construction activities. This results in difficulties with producing accurate estimates of health risk."[39]

---

[35] ARB, *Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to the Regulation for In-Use Off-Road Diesel-Fueled Fleets and the Off-Road Large Spark-Ignition Fleet Requirements*, October 2010.

[36] ARB, "In-Use Off-Road Equipment, 2011 Inventory Model,"Query accessed online, April 2, 2012, http://www.arb.ca.gov/msei/categories.htm#inuse_or_category.

[37] ARB, *Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to the Regulation for In-Use Off-Road Diesel-Fueled Fleets and the Off-Road Large Spark-Ignition Fleet Requirements*, October 2010.

[38] United State Environmental Protection Agency (USEPA), "Clean Air Nonroad Diesel Rule: Fact Sheet," May 2004.

[39] BAAQMD, *CEQA Air Quality Guidelines*, May 2011, page 8-6.

Therefore, project-level analyses of construction activities have a tendency to produce overestimated assessments of long-term health risks. However, within the APEZ, as discussed above, additional construction activity may adversely affect populations that are already at a higher risk for adverse long-term health risks from existing sources of air pollution.

Although on-road heavy-duty diesel vehicles and off-road equipment would be used during the 24-month construction period, emissions would be temporary and variable in nature and would not be expected to expose sensitive receptors to substantial air pollutants. Additionally, the proposed project is subject to the Clean Construction Ordinance. For projects located outside an APEZ, like the proposed project, the Clean Construction Ordinance requires equipment to either meet or exceed Tier 2 standards for off-road engines or operate with the most effective ARB verified diesel emission control strategy (VDECS). Furthermore, the proposed project would be subject to, and would comply with, California regulations limiting idling to no more than five minutes,[40] which would further reduce nearby sensitive receptor exposure to temporary and variable DPM emissions. Therefore, because the project site is not within the APEZ and construction activities would be temporary and variable over the 24-month construction period, TAC emissions would result in a less-than-significant impact on sensitive receptors.

Operational Air Quality Impacts

Land use projects typically result in emissions of criteria air pollutants and TACs primarily from an increase in motor vehicle trips. However, land use projects may also result in emissions of criteria air pollutants and TACs from combustion of natural gas, landscape maintenance, use of consumer products, and architectural coating. The following discussion addresses air quality impacts resulting from operation of the proposed project.

Impact AQ-3: During project operations, the proposed project would result in emissions of criteria air pollutants, but not at levels that would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. ***(Less than Significant)***

As discussed under Impact AQ-1, the BAAQMD, in its *CEQA Air Quality Guidelines*, has developed screening criteria to determine whether a project requires an analysis of project-generated criteria air pollutants. If none of the screening criteria are exceeded by a proposed project, then the lead agency or applicant does not need to perform a detailed air quality assessment.

The proposed project consists of tenant improvements to the existing dwelling units and supporting accessory uses, upgrades to building and life safety systems, and structural upgrades to the existing building. There would be no increase in the number of dwelling units, the number of residents, or the number of parking spaces on the project site. For these reasons, there would be no increase in the number of daily or p.m. peak-hour vehicle trips to and from the project site. The proposed project is below the operational screening criterion for the "apartment, mid-rise, 494 dwelling units" land use type identified in the BAAQMD's *CEQA Air Quality Guidelines.*

[40] California Code of Regulations, Title 13, Division 3, § 2485 (on-road) and § 2449(d)(2) (off-road).

Thus, the proposed project would not exceed any of the significance thresholds for criteria air pollutants, and quantification of the proposed project's operational criteria air pollutant emissions is not required. For these reasons, the proposed project's operation would result in a less-than-significant impact related to criteria air pollutants.

Impact AQ-4: During project operations, the proposed project would generate toxic air contaminants, including diesel particulate matter, but would not expose sensitive receptors to substantial air pollutant concentrations. ***(Less than Significant)***

As discussed above, the project site is not located within an APEZ. The proposed project consists of tenant improvements to the existing dwelling units and supporting accessory uses, upgrades to building and life safety systems, and structural upgrades to the existing building. Residential uses are considered sensitive land uses for the purpose of air quality evaluation. Existing sensitive land uses in the project vicinity include residential uses adjacent to and west of the project site, residential uses adjacent to and east of the project site, and residential uses on the north side of Broadway, the east side of Cordelia Street, and the south side of Pacific Avenue.

Sources of Toxic Air Contaminants

Vehicle Trips. Individual projects result in emissions of TACs primarily as a result of an increase in vehicle trips. The BAAQMD considers roads with fewer than 10,000 vehicles per day "minor, low-impact" sources that do not pose a significant health impact even in combination with other nearby sources and recommends that these sources be excluded from the environmental analysis. The proposed project would not increase the number of dwelling units, the number of residents, or the number of parking spaces on the project site. For these reasons, there would be no increase in the number of daily vehicle trips to and from the project site. Therefore, an assessment of project-generated TACs resulting from vehicle trips is not required, and the proposed project would not generate a substantial amount of TAC emissions that could affect nearby sensitive receptors.

Siting Sensitive Land Uses. The proposed project consists of tenant improvements to the existing dwelling units and supporting accessory uses, upgrades to building and life safety systems, and structural upgrades to the existing building. The proposed project would not site sensitive land uses within an APEZ. Therefore, the proposed project would result in a less-than-significant impact related to the exposure of sensitive receptors to substantial levels of air pollution.

Impact AQ-5: The proposed project would not conflict with, or obstruct implementation of, the 2010 Clean Air Plan. ***(Less than Significant)***

The most recently adopted air quality plan for the SFBAAB is the *2010 Clean Air Plan* (CAP), which is a road map that demonstrates how the San Francisco Bay Area will achieve compliance with the state ozone standards as expeditiously as practicable and how the region will reduce the transport of ozone and ozone precursors to neighboring air basins. In determining consistency with the CAP, this analysis considers whether the project would: (1) support the primary goals of the CAP, (2) include applicable control measures from the CAP, and (3) avoid disrupting or hindering implementation of control measures identified in the CAP.

The primary goals of the CAP are to: (1) reduce emissions and decrease concentrations of harmful pollutants, (2) safeguard the public health by reducing exposure to air pollutants that pose the greatest health risk, and (3) reduce greenhouse gas emissions. To meet the primary goals, the CAP recommends specific control measures and actions. These control measures are grouped into various categories and include stationary and area source measures, mobile source measures, transportation control measures, land use measures, and energy and climate measures. The CAP recognizes that, to a great extent, community design dictates individual travel mode and that a key long-term control strategy to reduce emissions of criteria pollutants, air toxics, and greenhouse gases from motor vehicles is to channel future Bay Area growth into vibrant urban communities where goods and services are close at hand and people have a range of viable transportation options. To this end, the CAP includes 55 control measures aimed at reducing air pollution in the SFBAAB.

The measures most applicable to the proposed project are transportation control measures and energy and climate control measures. The proposed project's impact related to greenhouse gas emissions are discussed under Section E.7, Greenhouse Gas Emissions, which demonstrates that the proposed project would comply with the applicable provisions of the City's Greenhouse Gas Reduction Strategy.

The availability of viable transportation options and the proximity of the project site to neighborhood-serving businesses ensure that residents could walk and ride transit to and from the project site instead of taking trips via private automobile. These factors ensure that the proposed project would not contribute to growth in automobile trips and vehicle miles traveled. The proposed project would not increase the number of daily vehicle trips to and from the project site and would not increase air pollutant emissions. Furthermore, the proposed project would be generally consistent with the *General Plan*, as discussed in Section C, Compatibility with Existing Zoning and Plans. Transportation control measures that are identified in the CAP are implemented by the *General Plan* and the Planning Code, for example, through the City's Transit First Policy, bicycle parking requirements, and transit impact development fees. Compliance with these requirements, where applicable, would ensure that the proposed project would meet the CAP's primary goals.

Examples of projects that could cause the disruption or delay of CAP control measures are projects that would preclude the extension of a transit line or bike path or projects that propose excessive amounts of parking above minimum parking requirements. The proposed project consists of tenant improvements to the existing dwelling units and supporting accessory uses, upgrades to building and life safety systems, and structural upgrades to the existing building on a site in a dense, walkable urban area near a concentration of regional and local transit service; it would not preclude the extension of a transit line or a bike path or any other transit improvement and thus would not disrupt or hinder implementation of control measures identified in the CAP.

For the reasons described above, the proposed project would not interfere with implementation of the CAP. Because the proposed project would be consistent with the applicable air quality plan that demonstrates how the region will improve ambient air quality and achieve the state and federal ambient air quality standards, this impact would be less than significant.

Impact AQ-6: The proposed project would not create objectionable odors that would affect a substantial number of people. *(Less than Significant)*

Residential uses generally do not create objectionable odors. Typical odor sources of concern include wastewater treatment plants, sanitary landfills, transfer stations, composting facilities, petroleum refineries, asphalt batch plants, chemical manufacturing facilities, fiberglass manufacturing facilities, auto body shops, rendering plants, and coffee roasting facilities. During construction, diesel exhaust from construction equipment would generate some odors. However, construction-related odors would be temporary and would not persist upon project completion. In addition, the proposed project would not change the existing mix of residential and supporting accessory uses, open space, and parking that is present on the project site, so there would be no new sources of odors. Therefore, odor impacts would be less than significant.

Impact C-AQ-1: The proposed project, in combination with past, present, and reasonably foreseeable future development in the project area would result in less–than-significant cumulative air quality impacts. *(Less than Significant)*

As discussed above, regional air pollution is by its very nature largely a cumulative impact. Emissions from past, present, and future projects contribute to the region's adverse air quality on a cumulative basis. No single project by itself would be sufficient in size to result in regional nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulative adverse air quality impacts.[41] The project-level thresholds for criteria air pollutants are based on levels below which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants. Therefore, because the proposed project's construction and operational emissions (Impacts AQ-1 and AQ-3, respectively) would not exceed the project-level thresholds for criteria air pollutants, the proposed project would not result in a cumulatively considerable contribution to regional air quality impacts.

As discussed above, the project site is not in an APEZ. The proposed project consists of tenant improvements to the existing dwelling units and supporting accessory uses, upgrades to building and life safety systems, and structural upgrades to the existing building. The proposed project would not introduce new sensitive receptors or new sources of TACs to the project site, and it would not increase the number of daily vehicle trips to and from the project site. For these reasons, the proposed project would not contribute to TAC emissions that could affect nearby sensitive receptors. Therefore, the proposed project's contribution to cumulative air quality impacts would be less than significant.

---

[41] BAAQMD, *CEQA Air Quality Guidelines*, May 2011, p. 2-1.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
7. GREENHOUSE GAS EMISSIONS— Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐	☐
b) Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐	☐

Greenhouse gas (GHG) emissions and global climate change represent cumulative impacts. GHG emissions cumulatively contribute to the significant adverse environmental impacts of global climate change. No single project could generate enough GHG emissions to noticeably change the global average temperature; instead, the combination of GHG emissions from past, present, and future projects have contributed and will contribute to global climate change and its associated environmental impacts.

The Bay Area Air Quality Management District (BAAQMD) has prepared guidelines and methodologies for analyzing GHGs. These guidelines are consistent with CEQA Guidelines Sections 15064.4 and 15183.5, which address the analysis and determination of significant impacts from a proposed project's GHG emissions. CEQA Guidelines Section 15064.4 allows lead agencies to rely on a qualitative analysis to describe GHG emissions resulting from a project. CEQA Guidelines Section 15183.5 allows for public agencies to analyze and mitigate GHG emissions as part of a larger plan for the reduction of GHGs and describes the required contents of such a plan. Accordingly, San Francisco has prepared *Strategies to Address Greenhouse Gas Emissions* (GHG Reduction Strategy),[42] which presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's Qualified GHG Reduction Strategy in compliance with the CEQA Guidelines. The actions outlined in the strategy have resulted in a 14.5 percent reduction in GHG emissions in 2010 compared to 1990 levels, exceeding the year 2020 reduction goals outlined in the BAAQMD's *2010 Clean Air Plan*, Executive Order S-3-05 (EO S-3-05),[43] and Assembly Bill 32 (AB 32), also known as the Global Warming Solutions Act.[44, 45]

Given that the City's local GHG reduction targets are more aggressive than the State's and the Region's 2020 GHG reduction targets and are consistent with the long-term 2050 reduction

[42] San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, 2010. The final document is available online at: http://www.sf-planning.org/index.aspx?page=2627.

[43] Executive Order S-3-05, sets forth a series of target dates by which statewide emissions of GHGs need to be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million $MTCO_2E$); by 2020, reduce emissions to 1990 levels (estimated at 427 million $MTCO_2E$); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million $MTCO_2E$).

[44] San Francisco Department of Environment (DOE), *San Francisco Climate Action Strategy, 2013 Update*.

[45] The *Clean Air Plan*, Executive Order S-3-05, and Assembly Bill 32 goals, among others, are to reduce GHGs in the year 2020 to 1990 levels.

targets, the City's Greenhouse Gas Reduction Strategy is consistent with the goals of EO S-3-05, AB 32, and the BAAQMD's *2010 Clean Air Plan*. Therefore, proposed projects that are consistent with the City's Greenhouse Gas Reduction Strategy would be consistent with the goals of EO S-3-05, AB 32, and the BAAQMD's *2010 Clean Air Plan*, would not conflict with these plans, and would therefore not exceed San Francisco's applicable GHG threshold of significance.

The following analysis of the proposed project's impact on climate change focuses on the project's contribution to cumulatively significant GHG emissions. Given the analysis is in a cumulative context, this section does not include an individual project-specific impact statement.

Impact C-GG-1: The proposed project would generate greenhouse gas emissions, but not at levels that would result in a significant impact on the environment or conflict with any policy, plan, or regulation adopted for the purpose of reducing greenhouse gas emissions. *(Less than Significant)*

Individual projects contribute to the cumulative effects of climate change by directly or indirectly emitting GHGs during construction and operational phases. Direct emissions include GHG emissions from new vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions from electricity providers, energy required to pump, treat, and convey water, and emissions associated with waste removal, disposal, and landfill operations.

The proposed project would not increase the number of dwelling units, he number of residents, or the amount of activity on the project site. Therefore, the proposed project would not contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and residential operations that result in an increase in energy use, water use, wastewater treatment, and solid waste disposal. Construction activities would result in temporary increases in GHG emissions.

The proposed project would be subject to and required to comply with several regulations adopted to reduce GHG emissions as identified in the GHG Reduction Strategy. The regulations that are applicable to the proposed project include the Stormwater Management Ordinance, the Mandatory Recycling and Composting Ordinance, and the Construction and Demolition Debris Recovery Ordinance.

These regulations, as outlined in San Francisco's GHG Reduction Strategy, have proven effective as San Francisco's GHG emissions have been measurably reduced when compared to 1990 emissions levels, demonstrating that the City has met and exceeded EO S-3-05, AB 32, and the BAAQMD's *2010 Clean Air Plan* GHG reduction goals for the year 2020. The proposed project was determined to be consistent with San Francisco's GHG Reduction Strategy.[46] Other existing regulations, such as those implemented through AB 32, will continue to reduce a proposed project's contribution to climate change. Therefore, the proposed project's GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations, and the proposed project's contribution to GHG emissions would not be cumulatively considerable or

[46] San Francisco Planning Department, *Greenhouse Gas Compliance Checklist, 838 Pacific Avenue*, October 22, 2015.

generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment. For these reasons, the proposed project would result in a less-than-significant impact related to GHG emissions.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
8. WIND AND SHADOW—Would the project:					
a) Alter wind in a manner that substantially affects public areas?	☐	☐	☐	☒	☐
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	☐	☐	☐	☒	☐

Impact WS-1: The proposed project would not alter wind. ***(No Impact)***

A proposed project's wind impacts are directly related to its height, orientation, design, location, and surrounding development context. Based on wind analyses for other development projects in San Francisco, a building that does not exceed a height of 85 feet generally has little potential to cause substantial changes to ground-level wind conditions. The existing building is 104 feet tall, but the proposed project would not increase the height of the building. In addition, the proposed project would not result in other changes to the massing of the building that could affect wind flow. For these reasons, the proposed project would not alter wind. No impact would occur.

Impact C-WS-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative wind impact. ***(No Impact)***

As discussed above, buildings shorter than 85 feet have little potential to cause substantial changes to ground-level wind conditions. With the exception of the Chinese Hospital site at 835-845 Jackson Street (0.1 mile south of the project site), the height limits in the project vicinity are 85 feet or lower. Despite reaching a height of 110 feet, the Chinese Hospital Replacement Project would not alter wind in a manner that substantially affects public areas.[47] None of the other nearby cumulative development projects would be tall enough to alter wind in a manner that substantially affects public areas. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative wind impact.

[47] San Francisco Planning Department, *Chinese Hospital Replacement Project Final EIR*, July 12, 2012, Appendix A, pp. 141-144.

Impact WS-2: The proposed project would not create new shadow. *(No Impact)*

The existing building is 104 feet tall, but the proposed project would not increase the height of the building. In addition, the proposed project would not result in other changes to the massing of the building that could increase the amount of shadow cast by the building. For these reasons, the proposed project would not create new shadow. No impact would occur.

Impact C-WS-2: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative shadow impact. *(No Impact)*

As discussed above, the proposed project would not create new shadow. For this reason, the proposed project would not make a considerable contribution to any cumulative shadow impact that could result from past, present, or reasonably foreseeable future projects in the project vicinity.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
9. RECREATION—Would the project:					
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	☐	☐	☐	☒	☐
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☐	☒	☐
c) Physically degrade existing recreational resources?	☐	☐	☒	☐	☐

Impact RE-1: The proposed project would not increase the use of existing neighborhood and regional parks or other recreational facilities. *(No Impact)*

The proposed project would not increase the number of dwelling units or the number of residents on the project site, so there would be no increase in demand for or use of recreational facilities. No impact would occur.

Impact RE-2: The proposed project would not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment. *(No Impact)*

Most of the western portion of the project site consists of paved open space that includes benches, landscaping, a basketball court, and a children's play structure. In addition, the project site is within walking distance to a number of parks, open spaces, or other recreational facilities, as discussed above. The proposed project would not increase the number of dwelling units or the

number of residents on the project site, so there would be no increase in demand for recreational facilities associated with the proposed project. For these reasons, the construction of new or the expansion of existing recreational facilities, both of which might have an adverse physical effect on the environment, would not be required. No impact would occur.

Impact RE-3: The proposed project would not physically degrade existing recreational resources. ***(Less than Significant)***

The proposed project would not result in the physical alteration or degradation of any recreational resources in the project vicinity or the City as a whole. Project-related construction activities would occur within the boundaries of the project site. The existing on-site recreational facilities could be closed for periods of time during project construction, but these closures would be temporary in nature. This impact would be less than significant, and no mitigation measures are necessary.

Impact C-RE-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative impact on recreational facilities or resources. ***(Less than Significant)***

Cumulative development in the project vicinity would result in an intensification of land uses and a cumulative increase in the demand for recreational facilities and resources. The City has accounted for such growth as part of the Recreation and Open Space Element of the *General Plan*.[48] In addition, San Francisco voters passed two bond measures, in 2008 and 2012, to fund the acquisition, planning, and renovation of the City's network of recreational resources.

The neighborhood parks or other recreational facilities closest to the project site are Wo Hei Yuen Park (0.1 mile southwest of the project site), the Betty Ann Ong Chinese Recreation Center (0.2 mile southwest), the Broadway Tunnel East Mini Park (0.2 mile west), and Portsmouth Square (0.25 mile southeast). It is expected that these existing recreational facilities would be able to accommodate the increase in demand for recreational resources generated by nearby cumulative development projects. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative impact on recreational facilities or resources.

---

[48] San Francisco Planning Department, *San Francisco General Plan*, Recreation and Open Space Element, April 2014, pp. 20-36. Available online at http://www.sf-planning.org/ftp/General_Plan/Recreation_OpenSpace_Element_ADOPTED.pdf, accessed October 13, 2015.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
10. UTILITIES AND SERVICE SYSTEMS—Would the project:					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒	☐
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒	☐
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒	☐
d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements?	☐	☐	☐	☒	☐
e) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒	☐
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒	☐

Impact UT-1: Implementation of the proposed project would not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board, would not exceed the capacity of the wastewater treatment provider that would serve the project, and would not require the construction of new or expansion of existing wastewater treatment or stormwater drainage facilities. ***(No Impact)***

The proposed project would not increase the number of dwelling units or the number of residents on the project site. There would be no increase in wastewater flows from the project site, no increase in the demand for wastewater or stormwater treatment, and no need to construct new or expand existing wastewater treatment facilities. No impact would occur.

Project-related wastewater and stormwater would flow to the City's combined stormwater/sewer system and would be treated to standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant prior to discharge into San Francisco Bay. The NPDES standards are set and regulated by the

San Francisco Bay Area Regional Water Quality Control Board (RWQCB). Therefore, the proposed project would not conflict with RWQCB requirements.

Impact UT-2: The SFPUC has sufficient water supply available to serve the proposed project from existing entitlements and resources and would not require new or expanded water supply resources or entitlements. ***(No Impact)***

The proposed project would not increase the number of dwelling units or the number of residents on the project site. There would be no increase in demand for water and no need for new or expanded water supply resources or entitlements. No impact would occur.

Impact UT-3: The proposed project would be served by a landfill with sufficient permitted capacity and would comply with federal, state, and local statutes and regulations related to solid waste. ***(No Impact)***

The proposed project would not increase the number of dwelling units or the number of residents on the project site. There would be no increase in the amount of solid waste generated at the project site and no increase in demand for solid waste disposal services. No impact would occur.

The California Integrated Waste Management Act of 1989 (Assembly Bill 939) requires municipalities to adopt an Integrated Waste management Plan to establish objectives, policies, and programs related to waste disposal, management, source reduction, and recycling. The Construction and Demolition Debris Recovery Ordinance (Ordinance No. 27-06, effective March 18, 2006) requires a minimum of 65 percent of all construction and demolition debris to be recycled and diverted from landfills. The Mandatory Recycling and Composting Ordinance (Ordinance No. 100-09, effective July 23, 2009) requires everyone in San Francisco to separate their solid waste into recyclables, compostables, and trash. The proposed project would be subject to and would comply with these ordinances and all other applicable statutes and regulations related to solid waste.

Impact C-UT-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative impact on utilities and service systems. ***(Less than Significant)***

Cumulative development in the project vicinity would result in an intensification of land uses, a cumulative increase in water consumption, and a cumulative increase in wastewater and solid waste generation. The SFPUC has accounted for such growth in its water demand and wastewater service projections, and the City has implemented various programs to divert 80 percent of its solid waste from landfills. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative impact on utilities and service systems.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
11. PUBLIC SERVICES— Would the project:					
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services?	☐	☐	☐	☒	☐

The proposed project's impacts on parks are discussed under Section E.9, Recreation. Impacts on other public services are discussed below.

Impact PS-1: The proposed project would not increase demand for fire protection and police protection, would not increase the population of school-aged children and the demand for school services, and would not increase demand for other public services. ***(No Impact)***

The proposed project would not increase the number of dwelling units or the number of residents on the project site. There would be no increase in demand for fire protection or police protection and no need to construct new or expand existing fire or police facilities. There would be no increase in the population of school-aged children, no increase in demand for school services, and no need to construct new or expand existing school facilities. There would be no increase in demand for other public services, such as libraries, and no need to construct new or expand existing governmental facilities. No impact would occur.

Impact C-PS-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative impact on public services. ***(Less than Significant)***

Cumulative development in the project vicinity would result in an intensification of land uses and a cumulative increase in the demand for fire protection, police protection, school services, and other public services. The Fire Department, the Police Department, the San Francisco Unified School District, and other City agencies have accounted for such growth in providing public services to the residents of San Francisco. Nearby cumulative development projects would be subject to applicable development impact fees that would offset a cumulative increase in demand for public services. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative impact on public services.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
12. BIOLOGICAL RESOURCES— Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☐	☒

Impact BI-1: The proposed project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service and would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. ***(No Impact)***

The project site is a previously developed lot in a built urban environment and does not include any candidate, sensitive, or special-status species, any riparian habitat, or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. Implementation of the proposed project would not modify any natural habitat and would have no impact on any

candidate, sensitive, or special-status species, any riparian habitat, or other sensitive natural community.

Impact BI-2: The proposed project would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. ***(No Impact)***

The project site does not include any federally protected wetlands, as defined by Section 404 of the Clean Water Act. Implementation of the proposed project would have no impact on wetlands.

Impact BI-3: The proposed project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. ***(Less than Significant)***

San Francisco is within the Pacific Flyway, a major north-south route of travel for migratory birds along the western portion of the Americas. Multi-story buildings are potential obstacles that can injure or kill birds in the event of a collision, and bird strikes are a leading cause of worldwide declines in bird populations. Planning Code Section 139, Standards for Bird-Safe Buildings, establishes building design standards to reduce avian mortality rates associated with bird strikes. This ordinance focuses on location-specific hazards and building feature-related hazards. Location-specific hazards apply to buildings in, or within 300 feet of and having a direct line of sight to, an Urban Bird Refuge, which is defined as an open space "two acres and larger dominated by vegetation, including vegetated landscaping, forest, meadows, grassland, or wetlands, or open water." The project site is not in or within 300 feet of an Urban Bird Refuge, so the standards related to location-specific hazards are not applicable to the proposed project. Feature-related hazards, which can occur on buildings anywhere in San Francisco, are defined as freestanding glass walls, wind barriers, skywalks, balconies, and greenhouses on rooftops that have unbroken glazed segments of 24 sf or larger. The proposed project would comply with the feature-related standards of Planning Code Section 139 by using bird-safe glazing treatment on 100 percent of any feature-related hazards.

The project site includes trees that could provide habitat for migratory birds, and three of these trees would be removed as part of the proposed project. Nesting birds, their nests, and their eggs are protected by the California Fish and Game Code (Sections 3503 and 3503.5) and the federal Migratory Bird Treaty Act, and the proposed project is subject to these regulations. Required compliance with these regulations would reduce potential impacts on nesting birds, their nests, and their eggs to less-than-significant levels.

For these reasons, the proposed project would not interfere substantially with the movement of any native resident or migratory wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. This impact would be less than significant, and no mitigation measures are necessary.

Impact BI-4: The proposed project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. *(Less than Significant)*

As part of the proposed project, three existing trees on the project site (near the southern property line) would be removed. Two new street trees would be planted along Pacific Avenue in compliance with the provisions of the San Francisco Green Landscape Ordinance. The proposed project would not conflict with any local policies or ordinances that protect biological resources. This impact would be less than significant, and no mitigation measures are necessary.

Impact BI-5: The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. *(Not Applicable)*

The project site is not within an area covered by an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, state, or regional habitat conservation plan. Therefore, significance criterion 12f is not applicable to the proposed project.

Impact C-BI-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative impact related to biological resources. *(Less than Significant)*

Cumulative development in the project vicinity would result in the construction of multi-story buildings that can injure or kill birds in the event of a collision and would result in the removal of existing street trees or other vegetation. Nearby cumulative development projects would be subject to the same bird-safe building and urban forestry ordinances applicable to the proposed project. Compliance with these ordinances would reduce the effects of nearby cumulative development projects to less-than-significant levels. Moreover, there are no candidate, sensitive, or special-status species, any riparian habitat, or other sensitive natural community in the project vicinity. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative impact on biological resources.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
13. GEOLOGY AND SOILS—Would the project:					
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	☐	☐	☒	☐	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐	☐
iv) Landslides?	☐	☐	☒	☐	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐	☐
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☒	☐	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	☐	☐	☒	☐	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☐	☒
f) Change substantially the topography or any unique geologic or physical features of the site?	☐	☐	☐	☒	☐
g) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☒	☐	☐

Impact GE-1: The proposed project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, or landslides, and would not be located on unstable soil that could result in lateral spreading, subsidence, liquefaction, or collapse. (*Less than Significant*)

A geotechnical investigation was conducted to assess the geologic conditions underlying the project site and provide recommendations related to the proposed project's design and construction. The findings and recommendations, presented in a geotechnical report, are discussed below.[49]

[49] Cornerstone Earth Group, *Geotechnical Investigation, 838 Pacific Avenue* (hereinafter "*Geotechnical Report*"), October 29, 2015.

The geotechnical investigation included the drilling of one test boring on the project site to a depth of 70 feet below ground surface (bgs). The project site is underlain by a three-foot-deep layer of fill consisting of clayey sand with gravel and some brick and concrete rubble. This layer of fill is underlain by sand and clay to a depth of at least 70 feet bgs. Groundwater was not encountered, but previous borings on the project site indicate that groundwater is present at depths ranging from 25 to 42 feet bgs.

The San Francisco Bay Area is a seismically active region. The project site is not within an Alquist-Priolo Earthquake Fault Zone, and there are no known active faults that run underneath the project site or in the project vicinity. The closest active fault to the project site is the San Andreas Fault, which is about eight miles to the southwest. Nonetheless, the project site is subject to strong seismic ground shaking. The project site is in a liquefaction zone, but it is not in a landslide zone.

The proposed project is required to comply with the seismic safety standards set forth in the San Francisco Building Code (Building Code). The Department of Building Inspection (DBI) is the City agency responsible for reviewing the proposed project's building permit application, structural drawings and calculations, and geotechnical report and ensuring that the proposed project complies with the seismic safety standards and other applicable requirements of the Building Code. Project compliance with the Building Code would ensure that the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, or landslides would be low. This impact would be less than significant, and no mitigation measures are necessary.

The project site is not located on unstable soil; the geotechnical report concludes that the potential for liquefaction or lateral spreading at the project site is low.[50] The geotechnical report includes recommendations related to earthwork, foundations, and concrete slabs and pedestrian pavements. Implementation of these recommendations would ensure that the proposed project would not cause the soil underlying the project site to become unstable and result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. This impact would be less than significant, and no mitigation measures are necessary.

Impact GE-2: The proposed project would not result in substantial soil erosion or the loss of topsoil. ***(Less than Significant)***

The project site has been developed since the late 1800s and is currently occupied by an existing building. For these reasons, construction of the proposed project would not result in the loss of topsoil. Site preparation and excavation activities would disturb soil to a depth of three feet bgs, creating the potential for windborne and waterborne soil erosion. The project site slopes down from west to east, and sloping terrain is more susceptible to soil erosion than flat terrain. The construction contractor would be required to implement best management practices to prevent erosion and discharge of sediment into construction site stormwater runoff (see Section E.14, Hydrology and Water Quality). This impact would be less than significant, and no mitigation measures are necessary.

[50] *Geotechnical Report*, pp. 5-7.

Impact GE-3: The proposed project would not be located on expansive soil and would not create substantial risks to life or property. ***(Less than Significant)***

San Francisco is within an area where less than 50 percent of the soil consists of clay with high swelling potential (i.e., expansive soils). Expansive soils shrink or swell substantially with changes in moisture content and generally contain a high percentage of clay particles. As discussed above, the project site is underlain by fill consisting of clayey sand with gravel and some brick and concrete rubble. This layer of fill is underlain by sand and clay. It is not known whether expansive soils, as defined in Table 18-1-B of the Uniform Building Code, underlie the project site. However, the DBI would analyze the potential for impacts related to expansive soils as part of its review of the proposed project's building permit application and geotechnical report. The proposed project would be required to comply with any recommendations made by the DBI to address potential impacts related to expansive soils. For these reasons, implementation of the proposed project would not create substantial risks to life or property. This impact would be less than significant, and no mitigation measures are necessary.

Impact GE-4: The proposed project would not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. ***(Not Applicable)***

The existing residential building on the project site does not use septic tanks or alternative wastewater disposal systems. Therefore, significance criterion 13e is not applicable to the proposed project.

Impact GE-5: The proposed project would not change the topography or any unique geologic or physical features of the site and would not directly or indirectly destroy a unique paleontological resource or site. ***(Less than Significant ~~with Mitigation~~)***

The project site slopes down from west to east, and implementation of the proposed project would not change the topography of the project site. The project site has been developed since the late 1800s, so there are no unique geologic or physical features on the project site that could be altered by implementation of the proposed project.

As discussed above, the project site is underlain by a three-foot-deep layer of fill consisting of clayey sand with gravel and some brick and concrete rubble. This layer of fill is underlain by sand and clay to a depth of at least 70 feet bgs. These types of soils typically do not contain paleontological resources. Based on the soils underlying the project site and the depth and amount of excavation proposed, it is unlikely that paleontological resources ~~could~~would be encountered during ground-disturbing activities. For this reason, implementation of the proposed project would not directly or indirectly destroy a unique paleontological resource. This impact would be less than significant, and no mitigation measures are necessary. ~~, but implementation of Mitigation Measure M-GE-5: Paleontological Resources Monitoring and Mitigation Program, discussed below, would reduce impacts on paleontological resources to less-than-significant levels.~~

~~Mitigation Measure M-GE-5: Paleontological Resources Monitoring and Mitigation Program~~

~~The project sponsor shall retain the services of a qualified paleontological consultant having expertise in California paleontology to design and implement a Paleontological Resources Monitoring and Mitigation Program (PRMMP). The PRMMP shall include a description of when and where construction monitoring would be required; emergency discovery procedures; sampling and data recovery procedures; procedures for the preparation, identification, analysis, and curation of fossil specimens and data recovered; preconstruction coordination procedures; and procedures for reporting the results of the monitoring program.~~

~~The PRMMP shall be consistent with the Society for Vertebrate Paleontology (SVP) Standard Guidelines for the mitigation of adverse construction-related impacts on paleontological resources and the requirements of the designated repository for any fossils collected. During construction, earthmoving activities shall be monitored by a qualified paleontological consultant having expertise in California paleontology in the areas where these activities have the potential to disturb previously undisturbed native sediment or sedimentary rocks. Monitoring need not be conducted in areas where the ground has been previously disturbed, in areas of artificial fill, in areas underlain by nonsedimentary rocks, or in areas where exposed sediment would be buried but would be otherwise undisturbed.~~

~~The consultant's work shall be conducted in accordance with this measure and at the direction of the City's Environmental Review Officer (ERO). Plans and reports prepared by the consultant shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Paleontological monitoring and/or data recovery programs required by this measure could suspend construction of the proposed project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce potential effects on a significant paleontological resource as previously defined to a less-than-significant level.~~

Impact C-GE-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative impact related to geology and soils. ***(Less than Significant)***

Environmental impacts related to geology and soils are generally site-specific. Nearby cumulative development projects would be subject to the same seismic safety standards and design review procedures applicable to the proposed project. Compliance with the seismic safety standards and the design review procedures would ensure that the effects from nearby cumulative development projects would be reduced to less-than-significant levels. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative impact related to geology and soils.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
14. HYDROLOGY AND WATER QUALITY—Would the project:					
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐	☐
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	☐	☐	☒	☐	☐
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐	☐
f) Otherwise substantially degrade water quality?	☐	☐	☒	☐	☐
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	☐	☐	☐	☒	☐
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	☐	☐	☐	☒	☐
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☐	☒
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☐	☒

Impact HY-1: The proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade water quality. ***(Less than Significant)***

Project-related wastewater and stormwater would flow to the City's combined stormwater/sewer system and would be treated to standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant prior to discharge into San Francisco Bay. The NPDES standards are set and regulated by the San Francisco Bay Area Regional Water Quality Control Board (RWQCB). Therefore, the proposed project would not conflict with RWQCB requirements.

Construction activities such as excavation, earthmoving, and grading would expose soil and could result in erosion and excess sediments being carried in stormwater runoff to the combined stormwater/sewer system. In addition, stormwater runoff from temporary on-site use and storage of vehicles, fuels, waste, and other hazardous materials could carry pollutants to the combined stormwater/sewer system if proper handling methods are not employed. Runoff from the project site would drain into the City's combined stormwater/sewer system, ensuring that such runoff is properly treated at the Southeast Treatment Plant before being discharged into San Francisco Bay. In addition, the project sponsor would be required to prepare a Stormwater Pollution Prevention Plan (SWPPP) that would be reviewed, approved, and enforced by the SFPUC. The SWPPP would specify best management practices and erosion and sedimentation control measures to prevent sediment from entering the City's combined stormwater/sewer system.

For these reasons, the proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade water quality. This impact would be less than significant, and no mitigation measures are necessary.

Impact HY-2: The proposed project would not deplete groundwater supplies or interfere with groundwater recharge. ***(No Impact)***

As discussed under Section E.13, Geology and Soils, groundwater is about 25 feet below ground surface and would not be encountered at the planned excavation depths; thus, dewatering for the proposed project would not be necessary during construction. In addition, the proposed project would not rely on wells for its water supply; it would be connected to existing SFPUC infrastructure. For these reasons, the proposed project would not deplete groundwater supplies or substantially interfere with groundwater recharge. No impact would occur.

Impact HY-3: The proposed project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, would not substantially increase the rate or amount of surface runoff in a manner that would result in substantial erosion, siltation, or flooding on- or off-site, and would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. ***(Less than Significant)***

The project site, which has been developed since the late 1800s, is completely covered by impervious surfaces. Implementation of the proposed project would not alter drainage patterns in a manner that would result in substantial erosion, siltation, or flooding. Runoff from the project site would continue to drain into the City's combined stormwater/sewer system. Compliance with the City's Stormwater Management Ordinance would ensure that the proposed project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. This impact would be less than significant, and no mitigation measures are necessary.

Impact HY-4: **The proposed project would not place housing within a 100-year flood hazard area and would not place structures that would impede or redirect flood flows within a 100-year flood hazard area.** ***(No Impact)***

The project site is not located within a flood zone designated on the City's interim floodplain map.[51] The proposed project consists of tenant improvements to the existing dwelling units and supporting accessory uses, upgrades to building and life safety systems, and structural upgrades to the existing building. The proposed project would not place housing within a 100-year flood hazard area and would not place structures that would impede or redirect flood flows within a 100-year flood hazard area. No impact would occur.

Impact HY-5: The proposed project would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam, or involving inundation by seiche, tsunami, or mudflow. ***(Not Applicable)***

There are no dams or levees near the project site. As shown on Map 6, Potential Inundation Areas Due to Reservoir Failure, in the Community Safety Element of the *General Plan*, the project site is not in an area that would be flooded in the event that an existing dam or levee fails.[52] Therefore, significance criterion 14i is not applicable to the proposed project.

A seiche is a periodic oscillation (rise and fall) of the surface of an enclosed or semi-enclosed body of water that can be caused by atmospheric or seismic disturbances. Tidal records for San Francisco Bay show that the 1906 earthquake caused a seiche of approximately four inches. At its closest point, the shoreline is 0.65 mile northeast of the project site; a temporary four-inch rise in the water level of San Francisco Bay would not reach the project site. For these reasons, the proposed project would not be at risk of inundation by seiche. As shown on Map 5, Tsunami Hazard Zones, San Francisco, 2012, in the Community Safety Element of the *General Plan*, the project site is not in a tsunami hazard zone, so the proposed project would not be at risk of

[51] City and County of San Francisco, General Services Agency, Risk Management Program, *San Francisco's Interim Floodplain Map, Northeast, Final Draft*, July 2008. Available online at http://www.sfgsa.org/Modules/ShowDocument.aspx?documentid=1785, accessed October 13, 2015.

[52] San Francisco Planning Department, *San Francisco General Plan*, Community Safety Element, p. 17. Available online at http://www.sf-planning.org/ftp/General_Plan/Community_Safety_Element_2012.pdf, accessed October 13, 2015.

inundation by tsunami.[53] The project site is not in a landslide zone, so the proposed project would not be at risk of inundation by mudflow.[54] Therefore, significance criterion 14j is not applicable to the proposed project.

Impact C-HY-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative impact related to hydrology and water quality. ***(Less than Significant)***

Cumulative development in the project vicinity would result in an intensification of land uses, a cumulative increase in water consumption, and a cumulative increase in wastewater generation. The SFPUC has accounted for such growth in its service projections. Nearby cumulative development projects would be subject to the same water conservation, stormwater management, and wastewater discharge ordinances applicable to the proposed project. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative impact related to hydrology and water quality.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
15. HAZARDS AND HAZARDOUS MATERIALS—Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐	☐

[53] San Francisco Planning Department, *San Francisco General Plan*, Community Safety Element, p. 15. Available online at http://www.sf-planning.org/ftp/General_Plan/Community_Safety_Element_2012.pdf, accessed October 13, 2015.

[54] San Francisco Planning Department, GIS database geology layer, accessed October 13, 2015.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐	☐
h) Expose people or structures to a significant risk of loss, injury or death involving fires?	☐	☐	☒	☐	☐

Impact HZ-1: The proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. ***(No Impact)***

The existing residents of the project site use relatively small quantities of hazardous materials such as cleaners and disinfectants for routine purposes. These products are labeled to inform users of potential risks and to instruct them in appropriate handling procedures. Most of these materials are consumed through use, resulting in relatively little waste. Implementation of the proposed project would not change this existing condition. For these reasons, the proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. No impact would occur.

Impact HZ-2: The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and the proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. (*Less than Significant*)

The project site is not included on a list of hazardous materials sites compiled by the California Department of Toxic Substance Control pursuant to Government Code Section 65962.5. The project site is not located in a Maher Area, meaning that it is not known or suspected to contain contaminated soil and/or groundwater.[55] However, the proposed project would require excavation to a depth of three feet below ground surface and the disturbance of more than 50 cubic yards of soil on a site that is within 150 feet of current or former dry cleaners and a

[55] San Francisco Planning Department, *Expanded Maher Area Map*, March 2015. Available online at http://www.sf-planning.org/ftp/files/publications_reports/library_of_cartography/Maher%20Map.pdf, accessed October 13, 2015.

former gas station. For these reasons, the proposed project may be subject to Health Code Article 22A (also known as the Maher Ordinance), which is administered and overseen by the Department of Public Health (DPH). In order for the DPH to determine whether the Maher Ordinance is applicable to the proposed project, the project sponsor is required to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6.

The Phase I ESA would determine the potential for site contamination and level of exposure risk associated with the proposed project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan to the DPH or other appropriate state or federal agencies and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit. A Phase I ESA has been prepared to assess the potential for site contamination, including the presence of Recognized Environmental Conditions (RECs).[56, 57] The findings of the Phase I ESA are discussed below.

Hazardous Substances

A site visit was conducted as part of the Phase I ESA, and the following observations were made.[58] With the exception of an above-ground diesel fuel storage tank adjacent to the cogeneration plant, there are no storage tanks on the project site. No surface stains were observed in the vicinity of the storage tank or the cogeneration plant. Other than small containers of various household cleaning products, there are no containers or drums on the project site that could contain hazardous substances. No pools of liquid, including standing surface water, or sumps containing hazardous substances or petroleum products were observed on the project site. There are no electrical transformers or other equipment containing polychlorinated biphenyls on the project site. Central heating for the existing building is provided by natural gas boilers located in a boiler room on the ground floor. No leaks or stains were observed in the boiler room.

Hazardous Building Materials

Based on the age of the existing building and the results of previous surveys, asbestos-containing materials and lead-based paint are known to be present within the existing building.[59] The proposed tenant improvements, which would include demolition and removal of interior and exterior building walls, could release asbestos, lead, or other hazardous materials into the environment. Such work must be performed in compliance with federal, state, and local regulations related to the abatement of hazardous materials.

---

[56] Rincon Consultants, Inc., *Phase I Environmental Site Assessment, 838 Pacific Avenue, San Francisco, California* (hereinafter "*Environmental Site Assessment*"), March 17, 2015.

[57] A Recognized Environmental Condition is defined as the presence of any hazardous substances or petroleum products in, on, or at a property (1) due to any release to the environment, (2) under conditions indicative of a release to the environment, or (3) under conditions that pose a material threat of a future release to the environment.

[58] *Environmental Site Assessment*, pp. 26-27.

[59] *Environmental Site Assessment*, pp. 8-9.

Recognized Environmental Conditions

There is one REC on the project site in the form of an above-ground planter containing soil with elevated levels of lead. The Phase I ESA recommends that additional soil samples be collected and analyzed to determine the extent of the lead-impacted soil on the project site.[60]

There is one historic REC on the project site in the form of an underground storage tank that was removed in 1990. Based on tank closure documents provided by the DPH, no further investigation or cleanup is required, but the Phase I ESA recommends that the project sponsor contact the DPH if the soil at this location would be disturbed as part of the proposed project.[61]

The historical use of adjacent properties as dry cleaners constitutes an unknown environmental condition associated with the project site. Dry cleaners are often associated with the use of solvents. Due to the past and current presence of dry cleaners in the immediate vicinity of the project site, the Phase I ESA recommends additional subsurface investigation to determine if the soils underlying the project site may contain solvents.[62]

Conclusion

Required compliance with federal and state regulations and the Maher Ordinance, if applicable, would ensure that implementation of the proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. This impact would be less than significant, and no mitigation measures are necessary.

Impact HZ-3: The proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. *(No Impact)*

There are five schools within a quarter-mile of the project site, with Jean Parker Elementary School being the closest (about 300 feet west). As discussed under Impact HZ-1, the existing residents of the project site use common household items in quantities too small to create a significant hazard to the public or the environment. The existing residential uses do not produce hazardous emissions and do not involve the handling of hazardous or acutely hazardous materials, substances, or waste. Implementation of the proposed project would not change this existing condition. No impact would occur.

Impact HZ-4: The proposed project would not result in a safety hazard for people residing or working within two miles of a public airport, public use airport, or a private airstrip. *(Not Applicable)*

[60] *Environmental Site Assessment*, p. 30.
[61] *Environmental Site Assessment*, p. 30.
[62] *Environmental Site Assessment*, p. 30.

The project site is not located within an area covered by an airport land use plan, within two miles of a public airport or a public use airport, or within the vicinity of a private airstrip. Therefore, significance criteria 15e and 15f are not applicable to the proposed project.

Impact HZ-5: The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan and would not expose people or structures to a significant risk of loss, injury, or death involving fires. (*Less than Significant*)

In San Francisco, fire safety is ensured through the provisions of the Building Code and the Fire Code. During the review of the building permit application, the Department of Building Inspection and the Fire Department will review the project plans for compliance with all regulations related to fire safety, which may include the development of an emergency procedure manual or an exit drill plan for the residents of the proposed project. Compliance with fire safety regulations would ensure that the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan or expose people or structures to a significant risk of loss, injury, or death involving fires. This impact would be less than significant, and no mitigation measures are necessary.

Impact C-HZ-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative impact related to hazards and hazardous materials. (*Less than Significant*)

Environmental impacts related to hazards and hazardous materials are generally site-specific. Nearby cumulative development projects would be subject to the same fire safety and hazardous materials cleanup ordinances applicable to the proposed project. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative impact related to hazards and hazardous materials.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
16. MINERAL AND ENERGY RESOURCES—Would the project:					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☐	☒
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	☐	☐	☒	☐	☐

Impact ME-1: The proposed project would not result in the loss of availability of a known mineral resource or a locally-important mineral resource recovery site. ***(Not Applicable)***

All land in the City and County of San Francisco, including the project site, is designated Mineral Resource Zone 4 (MRZ-4) by the California Division of Mines and Geology (CDMG) under the Surface Mining and Reclamation Act of 1975.[63] This designation indicates that there is inadequate information available for assignment to any other MRZ. Thus, the project site is not a designated area of significant mineral deposits or a locally important mineral resource recovery site. Therefore, significance criteria 16a and 16b are not applicable to the proposed project.

Impact ME-2: The proposed project would not encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner. ***(Less than Significant)***

In California, energy consumption in buildings is regulated by Title 24 of the California Code of Regulations. Title 24 includes standards that regulate energy consumption for the heating, cooling, ventilation, and lighting of residential and nonresidential buildings. In San Francisco, documentation demonstrating compliance with Title 24 standards is required to be submitted with a building permit application. Compliance with Title 24 standards is enforced by the San Francisco Department of Building Inspection. The proposed project would comply with the standards of Title 24 and the requirements of the San Francisco Green Building Ordinance, thus minimizing the amount of fuel, water, or energy used during its construction and operational phases. The proposed project would not encourage activities that result in the use of large amounts of fuel, water, or energy, or use them in a wasteful manner. This impact would be less than significant, and no mitigation measures are necessary.

Impact C-ME-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative impact on mineral and energy resources. ***(Less than Significant)***

As discussed above, San Francisco is not a designated area of significant mineral deposits and does not have locally important mineral resource recovery sites. Implementation of nearby cumulative development projects would not affect any operational mineral resource recovery sites. In addition, nearby cumulative development projects would be subject to the same energy conservation, water conservation, recycling and composting, and construction demolition and debris ordinances applicable to the proposed project. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative impact on mineral and energy resources.

---

[63] California Division of Mines and Geology, Open File Report 96-03, 1996, and Special Report 146 Parts I and II, 1986.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
17. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. **—Would the project**					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	☐	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	☐	☐	☐	☐	☒

Impact AF-1: The proposed project would not convert farmland to non-agricultural use, would not conflict with existing zoning for agricultural use or a Williamson Act contract, would not conflict with existing zoning for forest land or timberland, would not result in the loss of forest land or conversion of forest land to non-forest use, and would not involve other changes in the existing environment which could result in conversion of farmland to non-agricultural use or forest land to non-forest use. ***(Not Applicable)***

The project site does not contain agricultural uses, is not zoned for agricultural use, and is not subject to a Williamson Act contract.[64] The project site does not contain forest land or timberland as defined in Public Resources Code Section 12220(g) and Public Resources Code Section 4526, respectively. Therefore, significance criteria 17a through 17e are not applicable to the proposed project.

[64] California Department of Conservation, *San Francisco Bay Area Important Farmland 2010.* Available online at ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/regional/2010/bay_area_fmmp2010.pdf, accessed October 13, 2015.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
18. MANDATORY FINDINGS OF SIGNIFICANCE—Would the project:					
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐	☐
b) Have impacts that would be individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☐	☒	☐	☐
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐	☐

The proposed project would not substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. As discussed in Section E.3, Cultural Resources, implementation of Mitigation Measure M-CR-2 would reduce impacts on archeological resources to less-than-significant levels. In addition, implementation of the proposed project would not cause a substantial adverse change in the significance of a tribal cultural resource and would not disturb human remains. As discussed in Section E.13, Geology and Soils, implementation Mitigation Measure M-GE-5 would reduce impacts on paleontological resources to less-than-significant levels. For these reasons, the proposed project would not result in the elimination of important examples of major periods of California history or prehistory.

The proposed project would not combine with past, present, or reasonably foreseeable future projects to create significant cumulative impacts related to any of the topics discussed in Section E, Evaluation of Environmental Effects, pp. 8-66. There would be no significant cumulative impacts to which the proposed project would make cumulatively considerable contributions.

As discussed in Section E.5, Noise, construction of the proposed project could generate temporary noise levels that would affect nearby residents and other sensitive receptors. Required compliance with the provisions of the San Francisco Noise Ordinance would reduce these impacts to less-than-significant levels. As discussed in Section E.6, Air Quality, construction of the proposed project would result in emissions of toxic air contaminants (TACs), but not at levels

that would expose nearby sensitive receptors to substantial pollutant concentrations. For these reasons, the proposed project would not result in environmental effects that would cause substantial adverse effects on human beings.

F. MITIGATION MEASURES AND IMPROVEMENT MEASURES

The following mitigation measures have been agreed to by the project sponsor to reduce potentially significant environmental impacts resulting from the proposed project to less-than-significant levels. In addition, improvement measures have also been agreed to by the project sponsor to further reduce less-than-significant impacts.[65]

Mitigation Measures

Mitigation Measure M-CR-2: Archeological Testing

Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archeological consultant from the rotational Department Qualified Archeological Consultants List (QACL) maintained by the Planning Department archeologist. The project sponsor shall contact the Planning Department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sections 15064.5(a) and (c).

Consultation with Descendant Communities: On discovery of an archeological site[66] associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant

[65] *Agreement to Implement Mitigation and Improvement Measures, Case No. 2015-011574ENV, 838 Pacific Avenue,* October 22, 2015.

[66] The term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

group, an appropriate representative[67] of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretive treatment of the associated archeological site. A copy of the Final Archeological Resources Report shall be provided to the representative of the descendant group.

Archeological Testing Program. The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes a historical resource under CEQA.

At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If, based on the archeological testing program, the archeological consultant finds that significant archeological resources may be present, the ERO, in consultation with the archeological consultant, shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. No archeological data recovery shall be undertaken without the prior approval of the ERO or the Planning Department archeologist. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor, either:

a) the proposed project shall be redesigned to avoid any adverse effect on the significant archeological resource; or

b) a data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

Archeological Monitoring Program. If the ERO, in consultation with the archeological consultant, determines that an archeological monitoring program shall be implemented, the archeological monitoring program shall minimally include the following provisions:

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils-disturbing activities commencing. The ERO, in consultation with the archeological consultant, shall determine what project activities shall be archeologically monitored. In most cases, any

[67] An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Planning Department archeologist.

soils-disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archeological resources and to their depositional context;

- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;
- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with the project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;
- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If, in the case of pile driving activity, (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.

Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.

Archeological Data Recovery Program. The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.
- *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
- *Final Report.* Description of proposed report format and distribution of results.
- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

Human Remains and Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils-disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and, in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC), who shall appoint a Most Likely Descendant (MLD) (Public Resources Code Section 5097.98). The archeological consultant, project sponsor, ERO, and MLD shall have up to but not beyond six days of discovery to make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines. Section 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such as agreement has been made or, otherwise, as determined by the archeological consultant and the ERO.

Final Archeological Resources Report. The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

Once approved by the ERO, copies of the FARR shall be distributed as follows: the California Archeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy, and

the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning Division of the Planning Department shall receive one bound, one unbound, and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.

~~Mitigation Measure M-GE-5: Paleontological Resources Monitoring and Mitigation Program~~

~~The project sponsor shall retain the services of a qualified paleontological consultant having expertise in California paleontology to design and implement a Paleontological Resources Monitoring and Mitigation Program (PRMMP). The PRMMP shall include a description of when and where construction monitoring would be required; emergency discovery procedures; sampling and data recovery procedures; procedures for the preparation, identification, analysis, and curation of fossil specimens and data recovered; preconstruction coordination procedures; and procedures for reporting the results of the monitoring program.~~

~~The PRMMP shall be consistent with the Society for Vertebrate Paleontology (SVP) Standard Guidelines for the mitigation of adverse construction-related impacts on paleontological resources and the requirements of the designated repository for any fossils collected. During construction, earthmoving activities shall be monitored by a qualified paleontological consultant having expertise in California paleontology in the areas where these activities have the potential to disturb previously undisturbed native sediment or sedimentary rocks. Monitoring need not be conducted in areas where the ground has been previously disturbed, in areas of artificial fill, in areas underlain by nonsedimentary rocks, or in areas where exposed sediment would be buried but would be otherwise undisturbed.~~

~~The consultant's work shall be conducted in accordance with this measure and at the direction of the City's Environmental Review Officer (ERO). Plans and reports prepared by the consultant shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Paleontological monitoring and/or data recovery programs required by this measure could suspend construction of the proposed project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce potential effects on a significant paleontological resource as previously defined to a less-than-significant level.~~

Improvement Measures

Improvement Measure I-TR-1: Construction Traffic

The project sponsor should require the construction contractor to limit truck movements to the hours between 9:00 a.m. and 3:30 p.m., or other times if approved by the San Francisco Municipal Transportation Agency (SFMTA), in order to minimize the disruption of the general traffic flow on adjacent streets during the a.m. and p.m. peak periods. The project sponsor and construction contractor should meet with the Traffic Engineering Division of the SFMTA, the Fire Department,

the San Francisco Municipal Railway (Muni), the Planning Department, and other City agencies to determine feasible measures to reduce traffic congestion and other potential transit and pedestrian circulation effects during the construction period. In addition, the construction contractor should make arrangements for off-site parking for construction workers during the construction period.

Improvement Measure I-NO-3: Construction Noise

The project sponsor should develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures should be submitted to the DBI to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures should include as many of the following control strategies as feasible:

- Erect temporary plywood noise barriers around the construction site;
- Utilize noise control blankets on the building as the building is erected to reduce noise emission from the site;
- Monitor the effectiveness of noise attenuation measures by taking noise measurements; and
- Post signs on-site with information regarding permitted construction days and hours, complaint procedures, and the name(s) and telephone number(s) of the individual(s) to be contacted in the event of a problem.

G. PUBLIC NOTICE AND COMMENT

On September 22, 2015, the Planning Department mailed a Notification of Project Receiving Environmental Review to owners of properties within 300 feet of the project site, adjacent occupants, and neighborhood groups. Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate.

The Planning Department did not receive any public comments in response to the Notice of Project Receiving Environmental Review.

H. DETERMINATION

On the basis of this Initial Study:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, no further environmental documentation is required.

Sarah B. Jones
Environmental Review Officer
for
John Rahaim
Director of Planning

DATE December, 2015

I. INITIAL STUDY PREPARERS

Planning Department
Environmental Planning Division
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Environmental Review Officer: Sarah B. Jones
Senior Environmental Planner: Lisa Gibson
Environmental Planner Michael Li

	MONITORING AND REPORTING PROGRAM			
Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation/ Improvement Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
MITIGATION MEASURES Mitigation Measure M-CR-2: Archeological Testing Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archeological consultant from the rotational Department Qualified Archeological Consultants List (QACL) maintained by the Planning Department archeologist. The project sponsor shall contact the Planning Department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment and shall be considered draft reports subject to	Project sponsor, project archeologist.	Prior to issuance of any permit for soils-disturbing activities and during construction activities.	Project sponsor, project archeologist, ERO.	During soils-disturbing and construction activities

GOVERNMENT DOCUMENTS DEPT
DEC 29 2015
SAN FRANCISCO PUBLIC LIBRARY

Adopted Mitigation/Improvement Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation/ Improvement Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sections 15064.5(a) and (c).				
Consultation with Descendant Communities: On discovery of an archeological site[1] associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group, an appropriate representative[2] of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretive treatment of the associated archeological site. A copy of the Final Archeological Resources Report shall be provided to the representative of the descendant group.				

[1] The term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

[2] An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Planning Department archeologist.

Adopted Mitigation/Improvement Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation/ Improvement Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
Archeological Testing Program. The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes a historical resource under CEQA.				
At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If, based on the archeological testing program, the archeological consultant finds that significant archeological resources may be present, the ERO, in consultation with the archeological consultant, shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. No archeological data recovery shall be undertaken without the prior approval of the ERO or the Planning Department archeologist. If the ERO determines that a significant archeological resource is present and that the resource				

Adopted Mitigation/Improvement Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation/ Improvement Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
could be adversely affected by the proposed project, at the discretion of the project sponsor, either:				
a) the proposed project shall be redesigned to avoid any adverse effect on the significant archeological resource; or				
b) a data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.				
Archeological Monitoring Program. If the ERO, in consultation with the archeological consultant, determines that an archeological monitoring program shall be implemented, the archeological monitoring program shall minimally include the following provisions:				
▪ The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils-disturbing activities commencing. The ERO, in consultation with the archeological consultant, shall determine what project activities shall be archeologically monitored. In most cases, any soils-disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these				

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation/ Improvement Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
activities pose to potential archeological resources and to their depositional context; ▪ The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource; ▪ The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with the project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits; ▪ The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis; ▪ If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If, in the case of pile driving activity, (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving				

Adopted Mitigation/Improvement Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation/ Improvement Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.				
Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.				
Archeological Data Recovery Program. The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is				

Adopted Mitigation/Improvement Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation/ Improvement Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical. The scope of the ADRP shall include the following elements: ▪ *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations. ▪ *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures. ▪ *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies. ▪ *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program. ▪ *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities. ▪ *Final Report.* Description of proposed report format				

Adopted Mitigation/Improvement Measures	MONITORING AND REPORTING PROGRAM Responsibility for Implementation	Mitigation/ Improvement Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
and distribution of results. • *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities. *Human Remains and Associated or Unassociated Funerary Objects.* The treatment of human remains and of associated or unassociated funerary objects discovered during any soils-disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and, in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC), who shall appoint a Most Likely Descendant (MLD) (Public Resources Code Section 5097.98). The archeological consultant, project sponsor, ERO, and MLD shall have up to but not beyond six days of discovery to make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines. Section 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing State				

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation/ Improvement Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule

regulations or in this mitigation measure compels the project sponsor and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such as agreement has been made or, otherwise, as determined by the archeological consultant and the ERO.

Final Archeological Resources Report. The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

Once approved by the ERO, copies of the FARR shall be distributed as follows: the California Archeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy, and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning Division of the Planning Department shall receive one bound, one unbound, and one unlocked, searchable PDF copy on CD of the FARR along with copies of any

Adopted Mitigation/Improvement Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation/ Improvement Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.				
IMPROVEMENT MEASURES Improvement Measure I-TR-1: Construction Traffic The project sponsor should require the construction contractor to limit truck movements to the hours between 9:00 a.m. and 3:30 p.m., or other times if approved by the San Francisco Municipal Transportation Agency (SFMTA), in order to minimize the disruption of the general traffic flow on adjacent streets during the a.m. and p.m. peak periods. The project sponsor and construction contractor should meet with the Traffic Engineering Division of the SFMTA, the Fire Department, the San Francisco Municipal Railway (Muni), the Planning Department, and other City agencies to determine feasible measures to reduce traffic congestion and other potential transit and pedestrian circulation effects during the construction period. In addition, the construction contractor should make arrangements for off-site parking for construction workers during the construction period.	Project sponsor, construction contractor(s).	During demolition or construction activities.	Project sponsor, Planning Department.	During demolition and construction activities.

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation/ Improvement Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
Improvement Measure I-NO-3: Construction Noise The project sponsor should develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures should be submitted to the DBI to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures should include as many of the following control strategies as feasible: • Erect temporary plywood noise barriers around the construction site; • Utilize noise control blankets on the building as the building is erected to reduce noise emission from the site; • Monitor the effectiveness of noise attenuation measures by taking noise measurements; and • Post signs on-site with information regarding permitted construction days and hours, complaint procedures, and the name(s) and telephone number(s) of the individual(s) to be contacted in the event of a problem.	Project sponsor, construction contractor(s).	Prior to and during demolition or construction activities.	Project sponsor, Planning Department.	During demolition or construction activities.

SAN FRANCISCO
PLANNING DEPARTMENT

MEMO

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

DATE: December 2, 2015

TO: Kim Piechota
Chinatown Community Development Center

FROM: Michael Li
Environmental Planning Division

RE: Case No. 2015-011574ENV
838 Pacific Avenue
Removal of Mitigation Measure M-GE-5

The Initial Study/Preliminary Mitigated Negative Declaration that was published on November 4, 2015 included a mitigation measure to address impacts on paleontological resources (Mitigation Measure M-GE-5: Paleontological Resources Monitoring and Mitigation Program).

After reviewing the geotechnical report and considering the depth and amount of excavation proposed, the Planning Department concluded that Mitigation Measure M-GE-5 is no longer necessary. Mitigation Measure M-GE-5 was removed from the Final Mitigated Negative Declaration that was published on December 1, 2015.

Please keep this memorandum with the signed Agreement to Implement Mitigation Measures as confirmation that Mitigation Measure M-GE-5 is no longer necessary.

SAN FRANCISCO
PLANNING DEPARTMENT

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

AGREEMENT TO IMPLEMENT MITIGATION AND IMPROVEMENT MEASURES

Case No.:	2015-011574ENV
Project Title:	838 Pacific Avenue
Zoning:	RM-4 (Residential, Mixed, High Density) District 65-N Height and Bulk District
Block/Lot:	0160/030
Lot Size:	49,975 square feet
Project Sponsor:	Kim Piechota – Chinatown Community Development Center c/o Jim Fagler – Gelfand Partners Architects (415) 346-4040, jim@gelfand-partners.com
Lead Agency:	San Francisco Planning Department
Staff Contact:	Michael Li (415) 575-9107, michael.j.li@sfgov.org

MITIGATION AND IMPROVEMENT MEASURES

Mitigation Measure M-CR-2: Archeological Testing

Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archeological consultant from the rotational Department Qualified Archeological Consultants List (QACL) maintained by the Planning Department archeologist. The project sponsor shall contact the Planning Department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sections 15064.5(a) and (c).

Consultation with Descendant Communities: On discovery of an archeological site[1] associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant

[1] The term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

group, an appropriate representative[2] of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretive treatment of the associated archeological site. A copy of the Final Archeological Resources Report shall be provided to the representative of the descendant group.

Archeological Testing Program. The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes a historical resource under CEQA.

At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If, based on the archeological testing program, the archeological consultant finds that significant archeological resources may be present, the ERO, in consultation with the archeological consultant, shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. No archeological data recovery shall be undertaken without the prior approval of the ERO or the Planning Department archeologist. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor, either:

a) the proposed project shall be redesigned to avoid any adverse effect on the significant archeological resource; or

b) a data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

Archeological Monitoring Program. If the ERO, in consultation with the archeological consultant, determines that an archeological monitoring program shall be implemented, the archeological monitoring program shall minimally include the following provisions:

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils-disturbing activities

---

[2] An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Planning Department archeologist.

commencing. The ERO, in consultation with the archeological consultant, shall determine what project activities shall be archeologically monitored. In most cases, any soils-disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archeological resources and to their depositional context;

- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;
- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with the project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;
- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If, in the case of pile driving activity, (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.

Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.

Archeological Data Recovery Program. The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.
- *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
- *Final Report.* Description of proposed report format and distribution of results.
- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

Human Remains and Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils-disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and, in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC), who shall appoint a Most Likely Descendant (MLD) (Public Resources Code Section 5097.98). The archeological consultant, project sponsor, ERO, and MLD shall have up to but not beyond six days of discovery to make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines. Section 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such as agreement has been made or, otherwise, as determined by the archeological consultant and the ERO.

Final Archeological Resources Report. The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

Once approved by the ERO, copies of the FARR shall be distributed as follows: the California Archeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy, and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning Division of the Planning Department shall receive one bound, one unbound, and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.

Mitigation Measure M-GE-5: Paleontological Resources Monitoring and Mitigation Program

The project sponsor shall retain the services of a qualified paleontological consultant having expertise in California paleontology to design and implement a Paleontological Resources Monitoring and Mitigation Program (PRMMP). The PRMMP shall include a description of when and where construction monitoring would be required; emergency discovery procedures; sampling and data recovery procedures; procedures for the preparation, identification, analysis, and curation of fossil specimens and data recovered; preconstruction coordination procedures; and procedures for reporting the results of the monitoring program.

The PRMMP shall be consistent with the Society for Vertebrate Paleontology (SVP) Standard Guidelines for the mitigation of adverse construction-related impacts on paleontological resources and the requirements of the designated repository for any fossils collected. During construction, earthmoving activities shall be monitored by a qualified paleontological consultant having expertise in California paleontology in the areas where these activities have the potential to disturb previously undisturbed native sediment or sedimentary rocks. Monitoring need not be conducted in areas where the ground has been previously disturbed, in areas of artificial fill, in areas underlain by nonsedimentary rocks, or in areas where exposed sediment would be buried but would be otherwise undisturbed.

The consultant's work shall be conducted in accordance with this measure and at the direction of the City's Environmental Review Officer (ERO). Plans and reports prepared by the consultant shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Paleontological monitoring and/or data recovery programs required by this measure could suspend construction of the proposed project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce potential effects on a significant paleontological resource as previously defined to a less-than-significant level.

Improvement Measure I-TR-1: Construction Traffic

The project sponsor should require the construction contractor to limit truck movements to the hours between 9:00 a.m. and 3:30 p.m., or other times if approved by the San Francisco Municipal Transportation Agency (SFMTA), in order to minimize the disruption of the general traffic flow on adjacent streets during the a.m. and p.m. peak periods. The project sponsor and construction contractor should meet with the Traffic Engineering Division of the SFMTA, the Fire Department, the San Francisco Municipal Railway (Muni), the Planning Department, and other City agencies to determine feasible measures to reduce traffic congestion and other potential transit and pedestrian circulation effects during the construction period. In addition, the construction contractor should make arrangements for off-site parking for construction workers during the construction period.

Improvement Measure I-NO-3: Construction Noise

The project sponsor should develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures should be submitted to the DBI to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures should include as many of the following control strategies as feasible:

- Erect temporary plywood noise barriers around the construction site;
- Utilize noise control blankets on the building as the building is erected to reduce noise emission from the site;
- Monitor the effectiveness of noise attenuation measures by taking noise measurements; and
- Post signs on-site with information regarding permitted construction days and hours, complaint procedures, and the name(s) and telephone number(s) of the individual(s) to be contacted in the event of a problem.

KR I agree to implement the above mitigation measure(s) as a condition of project approval.

Property Owner or Legal Agent Signature

10-22-15
Date

on behalf of Chinatown CDC